

Miami Cruise Ship Injury Attorney David H. Charlip Discusses The Top Mistakes to Avoid in a Cruise Ship Accident

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Miami cruise ship injury attorney David H. Charlip (https://charliplawgroup.com/what-to-do-in-a-cruise-ship-accident-and-the-top-mistakes-to-avoid-written-by-a-cruise-ship-accident-attorney/) releases a new article explaining what a person should do if they get into an accident while on a cruise ship. The lawyer mentions that in a recent appellate case from the Eleventh Circuit Court of Appeals, a plaintiff?s complaint against Royal Caribbean Cruises Ltd. has been dismissed.

According to the Miami cruise ship injury attorney, ?In Taylor v. Royal Caribbean, Pamela Taylor was severely injured when she tripped and fell while disembarking the Allure of the Seas via its gangway. The district court judge initially required Taylor to replead her complaint. Royal Caribbean then moved to dismiss Taylor?s amended complaint on the basis that she failed to allege facts as to how any breach of the cruise line?s duty proximately caused her injuries.?

The lawyer further explains that Royal Caribbean further argues the victim?s negligent failure to warn count should be dismissed. This is because the victim failed to allege facts establishing that there was any notice of an alleged dangerous condition. The Royal Caribbean also says that there were mere ?generalities divorced from the actual circumstances of her accident.?

Attorney David H. Charlip mentions that the district court agreed with Royal Caribbean and dismissed the action. The Eleventh Circuit agreed that the victim failed to plausibly allege what actually and approximately caused her to trip and fall. This failure left Royal Caribbean to guess which alleged failure caused the victim?s injuries.

In the article, the lawyer adds that as for the victim?s failure to warn the claim, the victim was unable to provide factual detail as to how the gangway flooring was uneven and how the unevenness caused her to trip and fall. This led to the dismissal of her claim.

According to the injury attorney, ?It is not enough to allege all of the ways a plaintiff?s injury might have happened after a cruise ship accident, actual causation allegations are critical for a cruise ship accident compensation. Although at first blush it might seem that fault here would lie with the plaintiff?s lawyer whose pleadings were judged as insufficient, more than likely Ms. Taylor could not explain what caused her to fall. That is not at all unusual.?

Lastly, the personal injury attorney emphasizes the importance of having a skilled lawyer when it comes to matters such as filing an injury claim. An experienced personal injury lawyer may be able to help the victim receive the compensation they deserve.

About Charlip Law Group

Attorney David H. Charlip has been helping clients in Miami and all across the country for over 30 years. His team of legal professionals at Charlip Law Group carries on years of tradition of meeting the legal needs of businesses and individuals in Miami, throughout Florida, and across the nation. An experienced litigator, David Charlip has a record of winning cases with a high success rate in foreclosure defense and commercial litigation. Charlip Law Group, LC maintains a strong federal practice and handles cases nationwide. Contact them today to schedule a consultation.

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Charlip Law Group L.C.

At Charlip Law Group, LC, we provide litigation and transactional services in areas such as foreclosure defense, mortuary litigation, personal injury, cruise ship injury, and business law.

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