



## Obscure 1920 Law May Prevent Cruise Ship Company From Paying Up In Wrongful Death Case

by [Alexandra Maloney](#) | 3:09 pm, July 11th, 2017

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**Larry and Kristy Hammer**, ages 74 and 72 respectively, stepped on a brand new cruise ship in Peru last year, operated by Alabama company International Expeditions, excited to experience the natural beauties the Amazon River had to offer. Their trip became tragically short-lived. On the cruise's first night when thick smoke began filling their room, video footage obtained by [ABC News](#) shows how quickly the smoke thickened and entered the ship's hallway.

A California couple staying in a room down the hall said that no smoke alarms went off to alert the passengers. "You couldn't see five inches in front of your face," **Bessie Rosenberg** said. "The hallway was just filled with smoke."

An investigation conducted by the Peruvian Navy found that it took crew members over 20 minutes from the initial signs of smoke to first attempt to rescue the Hammers. By then, however, Larry Hammer died of smoke inhalation inside the room. Christy Hammer died on the way to a hospital after being pulled from the cabin six minutes later. An overheated power strip provided by the ship was determined to be the cause of the fire.

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However, when the sisters began the process of taking legal action against International Expeditions, they were faced with a 1920 law that would protect the company from paying almost any damages to the plaintiffs. The Death on the High Seas Act frequently prevents plaintiffs from receiving non-pecuniary damage judgments, which covers emotional pain and suffering.

The maritime law attorney representing the sisters, **Brett Rivkind**, described instances where cases that would ordinarily be worth \$5 million were reduced to settlements worth \$100,000 under the law. "It's devastating actually because you lose a loved one," Rivkind said, "and it's extremely difficult as an attorney in communicating to clients this is all they can recover."

"There's no place else in the world that you can kill somebody and really have no consequence, other than international waters," Malott said. The sisters are continuing with litigation in the hopes that a ticket contract stipulation may allow them to bypass the law, although it's unclear if their argument will be successful in court.

A bill aimed to improve passenger security and cruise industry accountability has been introduced to the House of Representatives and is seeking supporters in the Senate. Senator Richard Blumenthal has already proclaimed his support, asserting to ABC News that "the crew, the management, and everyone who has a responsibility for anyone on that ship ought to be held accountable when they fail to follow basic standards of care."

[Image via Screengrab]

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