Lawyer says overboard cruise passenger could have been saved

October 3, 2012 | By Juan Ortega, Sun Sentinel October 3, 2012

sun-sentinel.com

Lawyer says overboard cruise passenger could have been saved

The mother of a 21-year-old woman who fell overboard from a cruise ship last month has hired a lawyer who specializes in such cases.

Brett Rivkind, a Miami-based lawyer who has handled maritime cases for three decades, said Wednesday that he is representing Vera Marion, whose daughter, Ariel Marion, has remained missing since she fell off Royal Caribbean's Allure of the Seas on Sept. 16 about 47 miles east of Fort Lauderdale.

"The plan is to gather as much information as we can," Rivkind said. "I want to provide answers to the mother. She is crying every day. Why was a search-and-rescue effort not started sooner?"

The Coast Guard said Allure of the Seas notified it of Ariel Marion's disappearance about 11:30 p.m. Sept. 16, about two hours after the Bartlett, Tenn., woman fell overboard.

Wednesday, Rivkind argued the cruise ship failed to immediately turn around, search the waters and notify the Coast Guard, all of which hampered efforts to recover the woman, he said.

The Coast Guard gave up combing the Atlantic Ocean for the missing woman Sept. 18. An FBI investigation remains under way. Vera Marion said the FBI told her the case has been ruled an accident, Rivkind said.

A passenger who was on a cabin balcony "felt this person come and brush down and hit something" as the person fell into the ocean from the cabin above, Rivkind said. Rivkind said crew members questioned Vera Marion, but delayed telling her Ariel Marion had gone overboard.

Royal Caribbean last month said making sure a passenger is not onboard takes some time. A spokeswoman said such verification is necessary before the Coast Guard is asked to "commit to sending assets to help search."

The ship verified the emergency by making announcements and reviewing surveillance footage, the company said. "From the video, we could pinpoint the exact time and location using Global Positioning System and provided that information to [the] Coast Guard," it said.

Vera Marion's trip was an award from her employer for her job performance; she invited her daughter along, Rivkind said. Ariel Marion was "extremely happy" and looking forward to a modeling job she had just gotten, Rivkind said.

Page 1 of 1 Feb 17, 2017 10:34:30AM MST