

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

IN ADMIRALTY

In the Matter of the Complaint

of

Case No. 3:15-cv-1297-HES-MCR

Sea Star Line, LLC, d/b/a TOTE
Maritime Puerto Rico, as owner;
and TOTE Services, Inc., as Owner
pro hac vice of the S.S. *El Faro* for
Exoneration from or Limitation of
Liability

NOTICE OF SETTLEMENT

Plaintiffs, Sea Star Line, LLC, d/b/a TOTE Maritime Puerto Rico, and TOTE Services, Inc., (hereby collectively "Plaintiffs"), by their attorneys Hamilton, Miller & Birthisel LLP, and Holland & Knight, LLP in the above-captioned action, WITHOUT PREJUDICE TO THEIR RIGHTS IN THE EXONERATION / LIMITATION PROCEEDING AGAINST CLAIMANTS OTHER THAN THOSE SPECIFIED BELOW AND WITHOUT PREJUDICE TO THEIR RIGHTS TO SEEK AN APPROPRIATE CREDIT AGAINST THE LIMITATION FUNDS IN THIS ACTION FOR SETTLEMENTS WITH THE CLAIMANTS SPECIFIED BELOW, hereby notify the Court pursuant to Local Rule 3.08 that the Parties have settled the claims asserted by the following:

- 1.) **Katie Griffin as Personal Representative of The Estate of Keith Griffin** has reached a full and final settlement of all claims filed [DE 150] in the amount of FIVE HUNDRED THOUSAND DOLLARS

(\$500,000.00) for all non-pecuniary (pre-death pain and suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

- 2.) **Anna Krause, as the Personal Representative of The Estate of Piotr Krause** has reached a full and final settlement of all claims filed [DE 7] in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for all non-pecuniary (pre-death pain and suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

This settlement also includes the Counterclaims against Petitioners / Counter-Defendants: SEA STAR LINE, LLC (“SEA STAR”) and TOTE SERVICES, INC. (“TOTE”) (collectively “Petitioners / Counter Defendants”); and the Third-Party Defendants: MICHAEL DAVIDSON and/or the ESTATE OF MICHAEL DAVIDSON (“DAVIDSON”); INTEC MARITIME OFFSHORE SERVICE CORP. (“INTEC”); and SHIP OR LAND OPERATIONS AGENCY, INC. (“SHIP OR LAND”) (Collectively “Third Party Defendants”).

- 3.) **Dena Ann Lightfoot, as Personal Representative of The Estate of Roan Ronald Lightfoot** has reached a full and final settlement of all claims filed [DE 123] in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for all non-pecuniary (pre-death

pain and suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

- 4.) **Agnieszka Nita, as the Personal Representative of the Estate of Marcin Nita** has reached a full and final settlement of all claims filed [DE 7] in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for all non-pecuniary (pre-death pain and suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

This settlement also includes the Counterclaims against Petitioners / Counter Defendants: SEA STAR LINE, LLC (“SEA STAR”) and TOTE SERVICES, INC. (“TOTE”) (collectively “Petitioners / Counter Defendants”); and the Third-Party Defendants: MICHAEL DAVIDSON and/or the ESTATE OF MICHAEL DAVIDSON (“DAVIDSON”); INTEC MARITIME OFFSHORE SERVICE CORP. (“INTEC”); and SHIP OR LAND OPERATIONS AGENCY, INC. (“SHIP OR LAND”) (Collectively “Third Party Defendants”).

- 5.) **Malgorzata Podgorska, as Personal Representative of The Estate of Jan Podgorski** has reached a full and final settlement of all claims filed [DE 7] in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for all non-pecuniary (pre-death pain and suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

This settlement also includes the Counterclaims against Petitioners / Counter Defendants: SEA STAR LINE, LLC (“SEA STAR”) and TOTE SERVICES, INC. (“TOTE”) (collectively “Petitioners / Counter Defendants”); and the Third-Party Defendants: MICHAEL DAVIDSON and/or the ESTATE OF MICHAEL DAVIDSON (“DAVIDSON”); INTEC MARITIME OFFSHORE SERVICE CORP. (“INTEC”); and SHIP OR LAND OPERATIONS AGENCY, INC. (“SHIP OR LAND”) (Collectively “Third Party Defendants”).

- 6.) **Emily Pusatere as Personal Representative of The Estate of Richard Pusatere** has reached a full and final settlement of all claims filed [DE 66] in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for all non-pecuniary (pre-death pain and suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

This settlement also includes the Counterclaims against Petitioners / Counter Defendants: SEA STAR LINE, LLC and TOTE SERVICES, INC., and Cross Claim against the ESTATE of MICHAEL DAVIDSON (hereinafter referred to as the ESTATE OF DAVIDSON).

- 7.) **Karen Schoenly, as the Personal Representative of The Estate of Howard P. Schoenly** has reached a full and final settlement of all claims filed [DE 117] in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for all non-pecuniary (pre-death pain and

suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

- 8.) **Bozena Truszkowska, as Personal Representative of The Estate of Andrzej Truszkowski** has reached a full and final settlement of all claims filed [DE 7] in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for all non-pecuniary (pre-death pain and suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

This settlement also includes the Counterclaims against Petitioners / Counter Defendants: SEA STAR LINE, LLC (“SEA STAR”) and TOTE SERVICES, INC. (“TOTE”) (collectively “Petitioners / Counter Defendants”); and the Third-Party Defendants: MICHAEL DAVIDSON and/or the ESTATE OF MICHAEL DAVIDSON (“DAVIDSON”); INTEC MARITIME OFFSHORE SERVICE CORP. (“INTEC”); and SHIP OR LAND OPERATIONS AGENCY, INC. (“SHIP OR LAND”) (Collectively “Third Party Defendants”).

- 9.) **Agnieszka Zdobych, as Personal Representative of The Estate of Rafal Zdobych** has reached a full and final settlement of all claims filed [DE 7] in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for all non-pecuniary (pre-death pain and suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

This settlement also includes the Counterclaims against Petitioners / Counter Defendants: SEA STAR LINE, LLC (“SEA STAR”) and TOTE SERVICES, INC. (“TOTE”) (collectively “Petitioners/Counter Defendants”); and the Third-Party Defendants: MICHAEL DAVIDSON and/or the ESTATE OF MICHAEL DAVIDSON (“DAVIDSON”); INTEC MARITIME OFFSHORE SERVICE CORP. (“INTEC”); and SHIP OR LAND OPERATIONS AGENCY, INC. (“SHIP OR LAND”) (Collectively “Third Party Defendants”)

10.) **Teresa Davidson as Personal Representative of the Estate of Michael Davidson** has reached a full and final settlement of all claims in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for all non-pecuniary (pre-death pain and suffering) damages and an agreed upon amount for pecuniary (economic losses) damages covering the full economic loss.

Further details of the foregoing settlements will be provided to the Court when Plaintiffs seek an appropriate credit for these settlements against the Limitation Fund in this action.

Respectfully Submitted,

/s/ Jerry D. Hamilton

/s/ George D. Gabel, Jr.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 22, 2016, I electronically filed the foregoing with the Clerk of the Courts by using the CM/ECF system.

/s/ Jerry D. Hamilton
Jerry D. Hamilton, Esq.