



FLYNN|WIRKUS|YOUNG

ATTORNEYS AT LAW

LOBSTERMAN PULLS UP \$500,000 FOR THUMB INJURY

While working as a part-time lobsterman in the Gulf of Maine (off the coast of Cape Ann, MA), FWY's client suffered a serious thumb injury when his hand became entangled in the boat's lobster pot lines. Emergency surgery could not save the thumb, and it had to be amputated, and the client ultimately underwent a surgery during which his big toe was removed and reattached to his hand in order to take the place of the amputated thumb. The client tried on his own to negotiate a fair settlement with the boat owner's insurer.



After several months of the insurer's hard ball tactics and refusal to make a reasonable offer, during which the insurer questioned the liability of the boat's owner, the lobsterman hired FWY. His case was thereafter handled by FWY attorney Mike Flynn and Client Services Coordinator Jim Comfort. After conducting an investigation, gathering the relevant documents (including the Coast Guard's report) and developing the facts necessary to support a viable liability theory, FWY sent the insurer a comprehensive demand package detailing

the liability and damages issues. Shortly thereafter, in July 2018, the case settled - before it had to be put in suit - for the full limits of the available insurance coverage (\$500,000.00) minus amounts which had been paid for maintenance and cure (and which eroded the policy limits).

This injury was governed by the Jones Act, a federal law which requires vessel owners to provide a safe workplace for fisherman and other seaman during the course of their maritime employment, and permits injured fishermen to sue for damages suffered as the result of their maritime employer's negligence. Vessel owners are also required, by maritime common law, to pay maintenance (payment for living expenses) and cure (payment of bills for curative medical treatment) to seamen who are injured during the course of their employment aboard a vessel.

FLYNN|WIRKUS|YOUNG, P.C. is a sophisticated firm of trial attorneys, rated AV® Preeminent™ by Martindale-Hubbell. We are a medium-sized firm dedicated to the practice of civil litigation in New England, the Northeast and across the U.S. At FWY, we put our passion to work to ensure your excellence. We develop a creative approach to suit each of our clients' individual needs. To us, conventional wisdom is never good enough.

More information pertaining to additional specific results will be provided upon request. Prior results do not guarantee a similar outcome.

FLYNN|WIRKUS|YOUNG, P.C.
400 Crown Colony Drive
Suite 601
Quincy, MA 02169
(617) 773-5500

FLYNN|WIRKUS|YOUNG, P.C.
48 North Water Street
New Bedford, MA 02740
(617) 773-5500

FLYNN|WIRKUS|YOUNG, P.C.
80 Huron Street
Buffalo, NY 14202
(716) 858-3112

FLYNN|WIRKUS|YOUNG, P.C.
2424 East York St.
Suite 316
Philadelphia, PA 19125
(215) 568-1440



Michael B. Flynn
mflynn@flynnwirkus.com



James A. Comfort
jcomfort@flynnwirkus.com

