

Daniel Shatz Discusses Eleventh Circuit Decision that Reaffirmed Construction of Captain Warranty in Marine Insurance Coverage Dispute

In The News | 1 min read

Feb 3, 2023

Hinshaw partner Daniel Shatz recently authored a byline published by the American Bar Association (ABA) that discussed an Eleventh Circuit decision that reaffirmed that under Florida law the breach of a captain warranty in a marine insurance policy only precludes insurance coverage if the breach increased the hazard posed to the vessel.

As part of his examination of *Serendipity at Sea, LLC v. Underwriters at Lloyd's of London*, Shatz noted that admiralty case law had long seemed to hold that strict construction of express warranties in marine insurance contracts was required. However, in 2021, the Eleventh Circuit ruled that strict construction of a maritime warranty is appropriate only “if the specific warranty at issue is (or should be) the subject of a uniform or entrenched federal admiralty rule.” Since captain and crew warranties were not subject to a uniform federal rule, they must be considered pursuant to Florida law. *Serendipity at Sea* reapplied these construction principles.

“Eleventh Circuit Reaffirms Construction of Captain Warranty” was published by the *American Bar Association* on January 20, 2023.

Hinshaw & Culbertson LLP is a U.S.-based law firm with offices nationwide. The firm's national reputation spans the insurance industry, the financial services sector, professional services, and other highly regulated industries. Hinshaw provides holistic legal solutions—from litigation and dispute resolution, and business advisory and transactional services, to regulatory compliance—for clients of all sizes. Visit www.hinshawlaw.com for more information and follow @Hinshaw on LinkedIn and X.

Related People



Daniel C. Shatz

Partner

 305-428-5107

Related Capabilities

Insurance

Related Locations

Miami