



Collateral Attack on Coast Guard Vessel Documentation Decision Dismissed

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On October 17, 2012, Judge Lance M. Africk of the U.S. District Court for the Eastern District of Louisiana dismissed a case filed against Surf Subsea, Inc. initially brought in state court in which plaintiffs alleged that the *M/V Surf Challenger* was ineligible to be operated in the U.S. coastwise trade (the Jones Act trade). The suit against a vessel owner, rather than against the U.S. Coast Guard alleging improper issuance of a vessel document, was significant in that was likely unprecedented. The Court determined, among other things, that state tort liabilities did not trump federal vessel documentation laws and regulations and that the relationship between a vessel documentation applicant and the U.S. Coast Guard was “inherently federal in character.”

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