

TIDES
High: 5:16 a.m.
Low: 1:46 p.m.

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WEATHER
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Details page A10

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Disputes aired at insurance hearing

By KEVIN SULLIVAN
Times staff

Insurance companies say "ambulance-chaser" lawyers whisk injured fishermen off the docks before insurers even know they're hurt.

Fishermen say insurance companies are too greedy to pay legitimate claims, forcing them to hire lawyers.

Those were the basic arguments made yesterday when about 20 fishermen, insurance industry officials, lawyers and bankers bemoaned the nation's marine insurance problems, in front of two congressmen and 120 spectators crushed into a tiny, hot hotel function room in Boston.

The three-hour hearing at the Lenox Hotel — attended by more than 25 Gloucester people, including 18 fishermen who came by bus — was held by U.S. representatives Gerry Studds of New Bedford and John Breaux of Louisiana, acting as a subcommittee of the U.S. House Merchant Marine and Fisheries Committee.

Debate yesterday touched on the nation's high rate of boat sinkings. Breaux, the committee chairman, asked almost every speaker if mandatory annual vessel inspections — currently not required — would reduce losses. Most said inspections would help, but would not solve the problem.

But the crux of yesterday's debate was personal injury claims: lawyers and huge settlements, how insurance companies handle claims, the cost of claims and medical care, how to prevent accidents and problems with the Jones

Act, the federal law covering seamen's rights.

"There is no longer a boat today on this earth that is not unseaworthy as far as the ambulance-chasers are concerned," said William Hart of Mariners Insurance Agency in New Bedford.

Hart claimed that lawyers help crewmen fabricate stories that they were injured because of boatowner negligence, that they slipped on grease leaking from a winch, or a loose deck tile. That convinces sympathetic juries to award huge settlements, Hart said.

Sam Parisi of Parisi's Marine, part-owner of the dragger Gloucesterman, said he had two suits now pending against his boat. One man who lost the tip of his finger asked for an \$8,500 settlement from the insurance company, which refused to pay, Parisi said.

"So he runs to a lawyer and the lawyer says, 'We can get you \$100,000, no sweat,'" Parisi said.

The second crewman fell overboard for five minutes and is seeking a \$550,000 settlement, Parisi said. He "is not willing to settle because he hears of fishermen who get rich quick by suing," Parisi said.

Joseph Orlando, a local lawyer who specializes in representing fishermen, told the congressmen to "look past" insurance officials' allegations of "litigation gone mad."

"It's a very easy thing to point a finger at lawyers and say, 'Stop them and we can stop this problem,'" Orlando said.

Orlando said insurance companies could reduce sinkings and injuries by inspecting vessels when they renewed policies. Maintenance

Fishermen cancel flotilla plans

By KEVIN SULLIVAN
Times staff

Massachusetts fishermen have canceled plans for a protest flotilla in Boston Harbor Friday.

Local fishermen had begun making plans Monday for the flotilla, to protest last Friday's World Court decision giving Canada control of key Georges Bank fishing grounds.

Skipper Tom Brancalone of the Paul and Domenic, a Fisheries Commission member, last night said those plans were canceled after a discussion yesterday with U.S. Rep. Gerry Studds.

Brancalone and about 17 other fishermen attended a marine insurance hearing in Boston yesterday. Studds and U.S. Rep. John Breaux of Louisiana held the hearing, and after the hearing talked to the fishermen about the pro-

posed flotilla.

Brancalone said Studds told him, "Whatever we do, it's not going to make a big (difference)."

Brancalone said the fisherman are still irate about the World Court's decision, which placed key areas of Georges Bank on the Canadian side of a new boundary.

Brancalone said the fishermen — the ones who aren't out fishing — will still attend an emergency seminar Friday at Fish Expo '84 in Boston's Hynes Auditorium.

The seminar on the World Court decision has been scheduled for Friday from 10:45 a.m. to 12:15 p.m. in Room 207 of the Hynes Auditorium.

Davis Wilson, the attorney who represented the United States at the World Court hearings, will be on hand to explain the decision. So will many other fishing industry officials.

would have to be done to bring the boats up to standard and fishermen would have a "chance to work through the year without serious injury," Orlando said.

Orlando responded to a suggestion made yesterday by Hart and other insurance agents that injured seamen be prevented from consulting with a lawyer for a 30-, 60- or 90-day period. Insurance officials said that would give insurance companies time to settle the claim, without interference from lawyers.

"They would be the only American citizens without the right to legal counsel," Orlando said.

Orlando's testimony drew catcalls from Gloucester fishermen across the room. Many people in the room laughed when Orlando said, "If you institute a reasonable inspection system, the problem, I believe, will be gone."

Orlando said mandatory inspections would force better boat maintenance and prevent many injuries.

Skipper Sebastian "Busty" Mocerri of the Andromeda, one of the skippers who attended the meeting, this morning said local skip-

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