

## Randolph J. Waits

Of Counsel

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504-526-4336



Randy Waits is a Louisiana Maritime Trial Attorney with 40 years of experience. Randy has tried hundreds of maritime and admiralty cases including the areas of seaman's claims, maritime personal injury, general maritime law, limitations of liability, occupational disease and exposure, mass tort including silica exposure, vessel collisions and allision, insurance coverage disputes, contractual indemnity disputes and assorted damage claims arising from maritime casualties.

After 40 years of practice and many successful trials he has accomplished his primary objective when entering the legal field – he can now offer his client what he always wanted as a consumer of legal services – aggressive, fair and honest representation as a reasonable price.

### Background

Randy began his professional career as a marine claims adjustor for a domestic underwriter. Randy continued to work as an adjuster and as an assistant insurance manager for a domestic vessel operator with over 100 vessels operating around the world. Randy's working career made him realize that in order to get the best results in civil litigation, an adjustor/attorney must be ready, willing and able to proceed to trial. Randy understands that to achieve prompt and reasonable resolution of disputes requires that your opponent understand that your legal/claims team is ready, willing and able to proceed to trial to achieve fair resolution of a civil matter.

Randy attended public schools in the State of Louisiana graduating from Louisiana State University in 1973 with a B.S. in Finance. Interested in marine transportation and insurance he began his professional career as a regional marine claims adjustor. Randy attended Loyola University Law School at night as he continued his full time working career during the day. Randy's early professional career was thus spent as a consumer of legal service – not a provider.

As an attorney Randy joined Francis Emmett, a recognized admiralty litigator in 1978. He soon found himself in court defending serious Jones Act cases to verdict and accomplished his first goal as a lawyer – developing the respect of the court and the bar as an aggressive and competent trial lawyer.

## Representative Experience

Jones Act jury verdicts of zero, no accident, fabricated accident.

Motions for summary judgment granted as to Jones Act Seaman's claims to maintenance and cure based on McCorpen.

Motion for summary judgment granted dismissing Jones Act Seaman's damage claims based only on the seaman's deposition testimony.

Participated in defending a tug's interest in a \$40 million allision where the ocean going ship allided with oil refineries and alleged that its navigation was embarrassed by the tugs.

Trial of Inland Tugs allision with a submerged pipeline with major oil spill.

Defended towing vessel's interest in collision with major oil spill at Philadelphia Point on the lower Mississippi River (LMR).

Collected damages from Reduction Gear Manufacturing and Repair Company for failure of reduction gear and all associated damages including down based on breach of Warranty of Workmanlike Performance (WWP). Handled numerous Inch Marne and Latent defect claims.

Defended British based P&I club for a foreign seaman's injury that included brain damage, a broken neck, and a broken back. The court applied Bangladesh law to the foreign seaman's damage claim.

Defended large fertilizer cargo claim for salt water intrusion.

Defended ship cleaning contractor to final judgment regarding alleged breach of the Warranty of Workmanlike Performance (WWP).

Defended shipyards in asbestos and mesothelioma cases in Orleans Parish Civil District Court.

Reviewed and negotiated towing contracts and master service agreements.

## Related Services

Appellate Litigation

Business and Commercial

Construction

Discovery

General Liability/Catastrophic Injury

Health Care

Insurance

Products Liability & Mass Torts

## **Education, Admissions & Activities**

### **EDUCATION**

Loyola Law School

J.D., 1978

Louisiana State University

B.S., 1973

Finance

### **BAR ADMISSIONS**

Louisiana

Texas

### **COURT ADMISSIONS**

United States Supreme Court

United States Court of Appeals, Fifth Circuit

United States District Court of Texas

Southern, Eastern

United States District Court of Louisiana

Eastern, Middle, Western

### **PROFESSIONAL AND COMMUNITY ACTIVITIES**

Louisiana State Bar Association

Texas State Bar Association

Maritime Law Association of the United States

Louisiana Association of Defense Counsel