$200,000,000 False Imprisonment Lawsuit Filed Against Royal Caribbean, in Wrong Courthouse

By Jim Walker on May 16, 2012

There are lots of strange things that happen on cruise ships. I’ve written many articles about excessive alcohol consumption and aberrant conduct during cruises. I even created a category of "weird" cruise stories.

This morning I read an article which fits squarely in the "weird" category.

The New York Post writes about about "two pals" who jetted from New York to Fort Lauderdale to board Royal Caribbean’s Liberty of the Seas cruise ship. But instead of a fun cruise with stops in Jamaica and the beautiful private cruise destination of Labadee, the two men found themselves locked away in the cruise ship’s brig, accused of raping a young woman.

The case involves Eviatar Mor, celebrating his 22nd birthday, and his "buddy," fellow New Yorker David Amsalem, age 26.

After the two men went to bed on the first night of the cruise, Royal Caribbean’s security personnel woke them up around 5:00 AM. The two men claim that they were forced into wearing "prison garments issued by Royal Caribbean" and paraded "through public areas of the ship to a lock-up facility." The Post tells us about their allegedly "grueling" treatment in a “small, windowless cell” after they were accused of raping a passenger.

The Post quotes Mor saying: "I was in such stress. I can’t explain how scared I was."
The men allege that the alleged victim "recanted" and the ship doctor allegedly found no evidence of a sexual assault, but they were still held in the brig.

They hired a lawyer, Paul Batista, who filed suit in Manhattan seeking what is described as "at least $100,000,000 each" on allegations including false arrest and imprisonment, assault and battery, and "outrageous conduct causing emotional distress."

So, what’s my take on these allegations?

I don’t like to hear about attorneys inserting astronomical demands for money in lawsuits. $200,000,000 for a week in the cruise ship slammer? This isn’t torture in the dungeon in Midnight Express. The public hates to read about trial attorneys trying to make their clients overnight multi-millionaires based on dubious or overblown allegations. It’s a publicity stunt and it’s a bad idea. Just last week another lawsuit against a cruise line seeking $200,000,000 for four crewmembers was filed in New York. So in one week 6 people are seeking $400,000,000 from two cruise lines?

Secondly, the forum selection clause in the men’s ticket requires that the lawsuit be filed in Miami, not Manhattan. There is a 100% certainty that the case will be dismissed from the New York court.

Now, let’s turn to the men’s allegations. They claim that they were "dressed in prison garments" and "paraded through the ship? Royal Caribbean doesn’t have "prison" attire. Even if the cruise line put the men in striped zoot suits, it was 5:00 AM and no one is up that early in the morning anyway.

For some strange reason, the article makes a point of describing them as "both Orthodox Jews from Israel," with their lawyer accusing the cruise line of "Gestapo tactics inflicted on two innocent men." Nazi-Jew analogies are disrespectful in this context, particularly considering that Royal Caribbean hires many, many security guards from Israel. I hardly think that cruise line president Goldstein hires Nazi’s to oppress Orthodox Jews on his fleet of ships.

The most disturbing thing about this messy case is the refusal by the two men to state whether they had sex with the woman. If you’re really looking for $200,000,000 you better be prepared to talk about some embarrassing issues. Plus consider their lawyer’s comments that the rape claim "came from a woman who was drunk and who was plainly goaded into making it by a group of people with whom she was traveling."

Of course it is highly relevant whether the woman was so intoxicated that she could not consent to sex. Since when is claiming that the alleged victim was drunk a defense to a rape allegation?

The Post quotes Amsalem reminiscing on his experience saying: "The next time we go on vacation, no girls."
Meanwhile, a Royal Caribbean spokeswoman said the men had been accused of “a serious crime,” and that the company “takes all allegations of crime seriously.”

Just yesterday I blogged about out-of-control drinking on the Liberty of the Seas and the correlation to sexual assault allegations. This is the type of mess that comes out of that environment.

Cruise booze. Allegations of rape, recanted or not? Allegations of false imprisonment, worth $200,000,000, filed in the wrong jurisdiction?

Whoever you believe, this is an ugly story.