

District Court Says Cruise Ship Passengers Cannot Recover For “Fear of Contracting COVID-19”

“Judge Klausner, sitting in the Central District, dismissed a claim brought by a class of Princess Cruise Line passengers premised on their exposure to COVID-19 while aboard the now-infamous cruise ship that departed San Francisco for Hawaii on February 21, 2020,” reports Patrick Hammon in *McManis Faulkner’s Blog*.

“Plaintiffs, Ronald and Eva Weissberger, while still on the ship, filed suit against the cruise line on March 9, as the Grand Princess docked at the Port of Oakland alleging a claim for negligence. Although the Weissbergers did not test positive for COVID-19 (or suffer symptoms of the disease), they sought to recover damages for the emotional distress they suffered based on their fear of contracting coronavirus while quarantined on the ship.”

“Defendant, Princess Cruise Lines, moved to dismiss, arguing Plaintiffs failed to state a claim. The district court explained, as an initial matter, that Plaintiffs’ negligence claim had to be considered as a claim for negligent infliction of emotional distress (NIED), since Plaintiffs did not seek to recover for any physical harm, instead alleging only that they suffered emotional distress and mental anguish associated with their ‘of developing COVID-19’ on the ship.”

Read the article.