

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

\_\_\_\_\_  
No. 12-31109  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

January 10, 2014

Lyle W. Cayce  
Clerk

STEPHEN MARSHALL GABARICK, etc.; ET AL,

Plaintiffs

v.

LAURIN MARITIME (AMERICA), INCORPORATED; ET AL,

Defendants

-----  
WHITEFIN SHIPPING COMPANY LIMITED, As owner and Managing  
Owner of the M/V Tintomara, Petitioning for Exoneration from or Limitation  
of Liability; LAURIN MARITIME (AMERICA), INCORPORATED, As Owner  
and Managing Owner of the M/V Tintomara, Petitioning for Exoneration  
from or Limitation of Liability; LAURIN MARITIME AB; ANGLO-  
ATLANTIC STEAMSHIP LIMITED,

Petitioners – Appellee-Cross Appellants

v.

DRD TOWING COMPANY, L.L.C.,

Claimant - Appellee

v.

AMERICAN COMMERCIAL LINES, L.L.C.,

Appellant – Cross-Appellee  
-----

No. 12-31109

AMERICAN COMMERCIAL LINES, L.L.C., As Owner of Barge DM-932,  
Praying for Exoneration from or Limitation of Liability,

Petitioner – Appellant Cross-Appellee

v.

LAURIN MARITIME AB; WHITEFIN SHIPPING COMPANY LIMITED;  
ANGLO ATLANTIC STEAMSHIP LIMITED; LAURIN MARITIME  
(AMERICA), INCORPORATED,

Movants – Appellee-Cross Appellants

-----  
DRD TOWING COMPANY, INCORPORATED, as Owner Pro Hac Vice or  
Alleged owner Pro Hac Vice of the M/V Mel Oliver,

Petitioner – Appellee

v.

AMERICAN COMMERCIAL LINES, L.L.C.,

Claimant – Appellant-Cross-Appellee

v.

LAURIN MARITIME AB; WHITEFIN SHIPPING COMPANY LIMITED;  
ANGLO ATLANTIC STEAMSHIP LIMITED; LAURIN MARITIME  
(AMERICA), INCORPORATED,

Movants – Appellee-Cross Appellants

-----  
AMERICAN COMMERCIAL LINES, L.L.C., As Owner of the M/V Mel Oliver  
Praying for Exoneration from or Limitation of Liability,

Petitioner – Appellant-Cross Appellee

v.

No. 12-31109

LAURIN MARITIME (AMERICA), INCORPORATED; LAURIN MARITIME  
AB; WHITEFIN SHIPPING COMPANY LIMITED; ANGLO ATLANTIC  
STEAMSHIP LIMITED,

Movants – Appellee-Cross Appellants

---

Appeals from the United States District Court for the  
Eastern District of Louisiana  
USDC No. 08-4007 Consolidated Cases B-4

---

Before JOLLY, SOUTHWICK, and HAYNES, Circuit Judges.

PER CURIAM:\*

We have considered the thorough briefing, heard oral argument, and analyzed the extensive record in this case. For substantially the reasons set forth in the well-reasoned opinion of the district court, we AFFIRM.

---

\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.