

Bert M. Cass, Jr.



Partner
(504) 593-0643
bcass@dkslaw.com



Location

New Orleans, LA

Practice Areas

- Maritime
- Personal Injury

Jurisdictions

- Louisiana

Bertrand M. Cass, Jr. is head of the firm's Marine and Energy Department. He is a jury trial litigator concentrating in the defense of bodily injury and death cases with emphasis in marine and offshore litigation claims.

Mr. Cass concentrates his practice on defending vessel owners, oil and gas producers, exploration and drilling companies, facility operators, distributors, and offshore service contractors and their insurers against personal injury, wrongful death and survival claims. He is experienced in energy-related claims, including interpretation of indemnity and insurance requirements in vessel charters and Master Service Agreements, as well as interpretation of the anti-indemnity acts of Louisiana and Texas.

Mr. Cass has also defended vessel owners and their insurers against property damage claims involving complex legal issues. In one such case involving damages to an underwater pipeline by one of our clients, his efforts resulted in a res nova ruling by the Fifth Circuit Court of Appeals that a vessel owner's decision to plead limitation of liability as a defense in a single action with multiple claimants does not open it to greater total liability. *Signal Oil & Gas Co. v. Barge W-701*, 654 F.2d 1164, (CA 5th Cir. LA 1981).

Mr. Cass is one of the more experienced civil litigators in the New Orleans defense bar.

Professional Activities and Honors

"Louisiana Super Lawyers" List, 2007-2010

"The Best Lawyers in America" List, 2007-2010

Federal Bar Association

Louisiana State Bar Association

New Orleans Bar Association

Maritime Law Association of the United States, Proctor in Admiralty

Southeastern Admiralty Law Institute

Louisiana Association of Defense Counsel

Education

J.D., Loyola University of the South

B.B.A., Loyola University of the South

Representative Works

Personal Injury

Bert Cass obtained a defense verdict for his client, a general contractor, who was being sued for millions in a serious personal injury suit. The sheet metal worker plaintiff alleged that the contractor had improperly placed and installed a safety gate, which he was opening from atop a ladder, when he fell eighteen feet, crushing his left heel, ankle, and left elbow. Four other defendants settled a week before the trial, leaving Mr. Cass to face three plaintiff's attorneys, their experts, and the plaintiff's co-workers, who testified that opening the safety gate while standing on the ladder was dangerous and who were critical of the gate's placement. After a jury trial that lasted from May 5-14, 2008, the

jury found in the defendant's favor. The case was tried in Civil District Court for Orleans Parish, which is a notoriously unfriendly forum for defendants.

Joseph Vitari v Lou Con et. al, New Orleans, Civil District Court

Reported Cases

In re Complaint of Danos & Curole Marine Contractors, Inc., 2003 WL 20021839 (E.D.La. 2003).

Tubos de Acero de Mexico, S.A. v. American Intern. Inv. Corp., Inc., 292 F.3d 471, 63 U.S.P.B.2d 1340 (La. App. 5th Cir. 2002).

Curran v. Fisherman Marine Products, Inc., 773 So.2d 285, 2001 A.M.C. 1392, 2000-0099 (La. App. 4th Cir. 2000).

Gautreaux v. Scurlock Marine, Inc., 84 F.3d. 776, 1997 A.M.C. 1534 (La. App. 5 Cir. 1996).

Creppel v. American Tugs, Inc., 668 So.2d 374, 95-696 (La. App. 5 Cir. 1996).

U.S. v. M/V Mandan, 774 F.Supp. 410, 1993 A.M.C. 2996 (E.D. La. 1991).

Legros v. Norcen Explorations, Inc., 583 So.2d. 859 (La. App.1 Cir. 1991).

Robertson v. Arco Oil and Gas Co., 766 F.Supp. 535, 1993 A.M.C. 1215 (W.D. La. 1991).

U.S. v. M/V MANDAN, 1991 WL 148211, 1991 A.M.C. 1340 (E.D. La. 1991).

Stevenson v. Point Marine, Inc., 697 F.Supp. 285 (E.D. La. 1988).

Schoonmaker v. Capital Towing Co., 512 So.2d. 480 (La. App.1 Cir. 1987).

Wilson v. Arthur Levy Enterprises, Inc., 491 So.2d. 76 (La. App.1 Cir. 1986).

Greenslate v. Tenneco Oil Co., 623 F.Supp. 573 (E.D. La. 1985).

Hebert v. Kerr-McGee Corp., 618 F.Supp. 767 (W.D. La. 1985).

Baum v. Transworld Drilling Co., 612 F.Supp. 1555 (W.D. La. 1985).

Mayor and Council of City of Morgan City v. Jesse J. Fontenot, Inc., 460 So.2d. 685 (La. App.1 Cir. 1984).

Collier v. Williams-McWilliams Co., Inc., 459 So.2d. 719 (La. App. 4 Cir. 1984).

Hails v. Atlantic Richfield Co., 595 F. Supp. 948, 40 Fed.R.Serv.2d. 328 (W.D. La. 1984).

Morris v. Schlumberger, Ltd., 445 So.2d. 1242 (La. App. 3 Cir. 1984).

Scarborough v. Travelers Ins. Co., 718 F.2d. 702 (La. App. 5 Cir. 1983).

Morris v. Schlumberger, Ltd., 436 So.2d. 1178 (La. App. 3 Cir. 1983).

Smith v. Hurd, 408 So.2d. 357 (La. App. 1 Cir. 1981).

Signal Oil & Gas Co. v. Barge W-701, 654 F.2d. 1164 (La. App. 5 Cir. 1981).

Roberts v. Willaims-McWilliams Co., Inc., 648 F.2d. 255 (La. App. 5 Cir. 1981).

Mayfield v. Wall Shipyards, Inc., 510 F.Supp. 605 (E.D. La. 1981).

City of New Orleans for Use and Benefit of Sewerage and Water Bd. of New Orleans v. U.S. Through Dept. of Army, 501 F.Supp. 164, 1982 A.M.C. 605 (D. La. 1980).

Signal Oil & Gas v. Barge W-701, 468 F.Supp. 802, 1980 A.M.C. 1445 (E.D. La. 1979).

Koesler v. Harvey Applicators, Inc., 416 F.Supp. 872 (E.D. La. 1976).

Verrett v. Offshore Crews, Inc., 332 So.2d. 292 (La. App. 1 Cir. 1976).

Bonura v. Sea Land Service, Inc., 505 F.2d. 665, 1975 A.M.C. 462, 1975 A.M.C. 1220 (La. App. 5 Cir 1974).

Glaption v. MS Journalist, 487 F.2d. 1252, 1974 A.M.C. 1338 (La. App. 5 Cir. 1973).

May v. Lease Services, Inc., 487 F.2d. 915 (La. App. 5 Cir. 1973).

Blanchard v. Cheramie, 485 F.2d. 328, 1973 A.M.C. 2366 (La. App. 5 Cir. 1973).

Slan v. A/S Det Danske-Franske D/S, 479 F.2d. 288, 1973 A.M.C. 1675 (La. App. 5 Cir. 1973).

Powell v. Hellenic Lines, Ltd., 347 F.Supp. 855, 1972 A.M.C. 2554 (E.D. La. 1972).

Debose v. MS Loppersum, 438 F.2d 642, 1971 A.M.C. 742 (La. App. 5 Cir. 1971).