

Celebrity Cruises Workers Drop COVID-19 Exposure Suit

By [Lauren Berg](#)

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Law360 (July 21, 2020, 9:50 PM EDT) -- Workers for Celebrity Cruises Inc. told a Florida federal judge Tuesday that they are dropping their proposed class action alleging the cruise line failed to protect thousands of crew members on its ships during the COVID-19 pandemic.

The decision to dismiss the suit without prejudice was not made due to a settlement, Alexandra Nedeltcheva and two other crew members said in the two-page notice that doesn't provide any additional details.

Michael A. Winkleman of [Lipcon Margulies Alsina & Winkleman PA](#), an attorney for the plaintiffs, told Law360 on Tuesday evening that since filing the proposed class action, it has become apparent that each of the crew member's COVID-19-related experiences was unique. He said they have decided to pursue their claims individually.

"Having said that, make no mistake, we do intend to hold [Royal Caribbean](#) and Celebrity Cruises accountable for the ways in which they mishandled the pandemic, as alleged in the respective complaints," Winkleman said.

Counsel for Celebrity did not immediately respond to a request for comment.

The notice comes just a month after Celebrity, a unit of Royal Caribbean Cruises Ltd., [asked a judge](#) to toss the suit as "trivial," arguing that the plaintiffs only had cold- and flu-like symptoms. The cruise line said the crew members who were exposed to the novel coronavirus while working on a ship off the coast of France can't recover monetary damages for "mere exposure."

"Celebrity is moving to dismiss the amended complaint, including on the basis that the plaintiffs' claims are trivial. In doing so, Celebrity in no way seeks to trivialize COVID-19," the company said in its June filing. "The plaintiffs in this action did not suffer the tragic consequences that are sometimes caused by COVID-19. Claims seeking to recover money damages for having cold- and flu-like symptoms, and for mere exposure to illness, are not actionable."

Nedeltcheva, who works on the new Celebrity Apex that was set to begin sailing the Mediterranean this summer, said in her [April complaint](#) that Celebrity failed to heed warnings about how quickly the coronavirus could spread on cruise ships, and when measures were taken to protect passengers' safety, crew members were ordered to continue operations as normal.

An amended complaint filed June 10, which noted that Nedeltcheva contracted COVID-19, added two other crew members as named plaintiffs, Andrew Coleman and Julia Melim, who were exposed to the virus, according to court records.

But Celebrity argued that unlike Nedeltcheva, who exhibited symptoms such as a severe cough and fatigue, Coleman and Melim were asymptomatic and never contracted the virus.

The plaintiffs are represented by Jason R. Margulies, Michael A. Winkleman, Jacqueline Garcell and L. Alex Perez of Lipcon Margulies Alsina & Winkleman PA.

Celebrity is represented by Sanford L. Bohrer, Alex M. Gonzalez and Scott D. Ponce of [Holland & Knight LLP](#) and Jerry D. Hamilton, Evan S. Gutwein and Annalisa Gutierrez of [Hamilton Miller & Birthisel LLP](#).

The case is Alexandra Nedeltcheva et al. v. Celebrity Cruises Inc., case number [1:20-cv-21569](#), in the [U.S. District Court for the Southern District of Florida](#).

--Additional reporting by Y. Peter Kang and Carolina Bolado. Editing by Kelly Duncan.