

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 20-02326JVS(JDEx) Date March 9, 2021

Title Jorge Orozco v Princess Cruise Lines, Ltc, et al

Present: The **James V. Selna, U.S. District Court Judge**
Honorable

Lisa Bredahl
Deputy Clerk

Not Present
Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: [IN CHAMBERS] ORDER RE BRIEFING ON JURY TRIAL

Following the parties’ submission of their Rule 26 Report, the Court requested briefing on whether a jury trial was available in Admiralty jurisdiction. (Docket No. 8.) The parties responded. (Docket Nos. 19, 20.)

The sole claimed basis for jurisdiction here is Admiralty. (Complaint, ¶ 1, Docket No. 1.) There is no dispute that diversity jurisdiction does not lie because both Jorge Orozco (“Orozco”) and Princess Cruise Lines, Ltd. (“Princess”) are citizens of California. (Id., ¶¶ 2, 3; Answer, ¶3, Docket No. 13.)

In order for the plaintiff to assert a right to a jury trial in Admiralty under the “savings to suitors” doctrine, there must be a separate basis for federal jurisdiction. Ghotra by Ghotra v. Bandila Shipping, Inc., 113 F.3d 1050, 1054 (9th Cir. 1997). There is none here.

Orozco notes that Princess has waived its objection to a jury trial in similar cases. (Orozco Memorandum, p. 4, n.1.) Orozco also notes that Princess raised no objection to Orozco’s claim to a jury trial in the Rule 26 Report. (Docket No. 16, p. 7.) Neither circumstance bars Princess’ right to a bench trial in this case.

The Clerk is directed to set this matter down for a bench trial on the same schedule and to issue the appropriate order for a bench trial.

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Initials of Preparer lmb : 0