

Muise Marcel

From: Jerry D. Hamilton (HMB) [REDACTED]
Sent: Monday, November 21, 2022 11:02 AM
To: Muise Marcel
Cc: [REDACTED] LT USCG (USA); [REDACTED]; 'Norberto Alfonso'
Subject: RE: NTSB report - Tropic Breeze
Attachments: Certification of party representative.pdf

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Dear Mr. Muise,

Attached please find the executed Certification of Party Representative. It has been executed by myself as the attorney for the M/V Tropic Breeze. I have copied Norberto Alfonso whose company also managed the vessel.

As for the 2 questions see below.

1. What was the value of the vessel and the cargo?

The Value of the vessel was \$5.1million. The Value of the cargo was \$343,881.10.

2. There appears to be a water ballast tank across the entire stern on the general arrangement and that *Utopia IV* would have to penetrate all the way through the ballast tank to flood the engine room? Can you confirm that tank extends all the way to the main deck? Also how wide is that tank (fore and aft)?

Yes, there is a water ballast tank across the entire stern. There is a watertight "collision" bulkhead across the entire beam and coming all the way up to the main deck. The width of the tank is about four feet. I will get the exact dimensions and send. The Utopia coming at such speed, combined with her sharp plumb-bow, penetrated the hull and the collision bulkhead.

Let me know if you have any other questions and we look forward to reviewing the draft Report.

Best Regards,



150 Southeast Second
Ave. Suite 1200
Miami, Florida 33131

Jerry D. Hamilton | PARTNER

Board Certified Civil Trial Lawyer

HAMILTON, MILLER & BIRTHISEL, LLP



[Biography](#) | [Website](#) | [vCard](#) | [LinkedIn](#)

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From: Jerry D. Hamilton [REDACTED]
Sent: Saturday, November 19, 2022 2:19 AM
To: 'Muisse Marcel' [REDACTED]
Cc: [REDACTED] LT USCG (USA) [REDACTED]@uscg.mil>; HMB Tropic Breeze Team [REDACTED]
Subject: RE: NTSB report - Tropic Breeze

Good Night Mr. Muise,

I was traveling this week and just saw your email. Please allow me to reach out to my client for instructions and I will be back with you next week. Have a good weekend.

Best Regards,



150 Southeast Second
Ave. Suite 1200
Miami, Florida 33131

Jerry D. Hamilton | PARTNER

Board Certified Civil Trial Lawyer



[Biography](#) | [Website](#) | [vCard](#) | [LinkedIn](#)

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From: Muise Marcel [REDACTED]
Sent: Thursday, November 17, 2022 1:47 PM
To: Jerry D. Hamilton [REDACTED]
Cc: [REDACTED] LT USCG (USA) [REDACTED]
Subject: FW: NTSB report - Tropic Breeze

Good afternoon Mr. Hamilton,

Mr. Neil Bayer kindly shared your contact information with me. I understand you represent the tank vessel *Tropic Breeze*. I have not heard from Captain Ritchie, see below, regarding a technical review of the NTSB investigation report. If that is something your client would be interested in, please reach out to me anytime.

Best regards,
Marcel

Marcel L. Muise

Marine Casualty Investigator | Master Mariner
National Transportation Safety Board

From: Muise Marcel [REDACTED]
Sent: Wednesday, October 19, 2022 11:15 AM
To: [REDACTED]
Cc: [REDACTED] LT USCG (USA) [REDACTED] >; Muise Marcel [REDACTED] >
Subject: NTSB report - Tropic Breeze

Good morning Captain Ritchie,

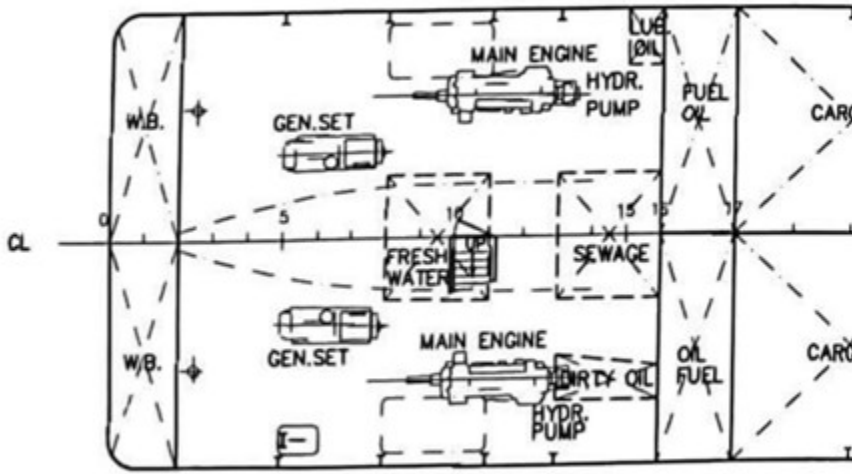
I'm the NTSB investigator assigned to the loss of the *Tropic Breeze*. The NTSB investigation report is nearing completion. As the vessel's representative we'd like to offer you party status to our investigation which is separate from the U.S. Coast Guard's. This will allow us to share the draft report with you for review and input. You may also submit your own report for consideration and inclusion in the public docket. If that is something you'd be interested in, please sign and return the attached party certification.

Regardless I do have a couple of questions regarding the accident:

1. What was the value of the vessel and the cargo?
2. There appears to be a water ballast tank across the entire stern on the general arrangement and that *Utopia IV* would have to penetrate all the way through the ballast tank to flood the engine room? Can you confirm that tank extends all the way to the main deck? Also how wide is that tank (fore and aft)?

Best regards,
Marcel

Marcel L. Muise



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