

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Luxury Jet Ski Rentals, LLC v. Masserat

Luxury Jet Ski Rentals · No. 3:25-cv-00557-JAH-BLM · Decided April 21, 2025

SUMMARY

The United States District Court for the Southern District of California grants Luxury Jet Ski Rentals LLC’s ex parte application in a limitation-of-liability action arising from a September 2024 personal watercraft incident. The court approves the stipulation for vessel value and letter of undertaking, restrains related proceedings, and directs issuance, publication, and service of a monition requiring claims and answers by June 20, 2025.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	John A. Houston
JURISDICTION	United States District Court for the Southern District of California
DECIDED	April 21, 2025
DOCKET	3:25-cv-00557-JAH-BLM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff-in-limitation filed an action under the Limitation of Liability Act seeking exoneration from or limitation of liability arising from a personal-watercraft accident and moved ex parte for approval of security, issuance of monition, and an injunction restraining other suits.
PRECEDENTIAL VALUE	unpublished district court order; persuasive only
PARTIES	Luxury Jet Ski Rentals, LLC v. Sassan Masserat

TOPICS

- limitation of liability
- admiralty
- injunctions
- civil procedure
- default

PRACTICE AREAS

- Admiralty and maritime law
- Limitation of liability
- Civil procedure
- Injunctive relief

QUESTIONS PRESENTED

1. Whether the complaint satisfied Supplemental Admiralty Rule F(2)'s requirements for an action seeking exoneration from or limitation of liability.
2. Whether the stipulation for the vessel's value and letter of undertaking provided adequate security under the Limitation of Liability Act, Supplemental Admiralty Rule F(1), and the Southern District of California's local rules.
3. Whether the court should enjoin related proceedings and issue a monition requiring potential claimants to file claims and answers.
4. What publication and mailing procedures were required for notice to potential claimants.

HOLDINGS

1. The complaint satisfied Supplemental Admiralty Rule F(2) because it was timely filed and adequately described the vessel, ownership, voyage and incident, resulting demand or injury, and the absence of other pending proceedings.
2. The stipulation for an approximate vessel value of \$11,000, together with Markel American Insurance Company's \$11,500 letter of undertaking, constituted adequate security under the Limitation of Liability Act, Supplemental Admiralty Rule F(1), and the local rule requiring \$500 in security for costs.
3. Because the complaint was properly filed and adequate security was provided, the plaintiff-in-limitation was entitled to an injunction staying the commencement or further prosecution of related actions concerning the September 2024 incident, except in the present limitation action.
4. The court directed issuance of a monition requiring all persons with claims arising from the incident to file claims and any answer by June 20, 2025, and required publication of notice for four successive weeks and mailing to known claimants by the second publication.

KEY QUOTATIONS

“LOLA seeks to accomplish this by providing “a concourse for the determination of liability arising out of marine casualties where asserted claims exceed the value of the vessel, so that there can be an effective marshaling of assets.”” (at 2)

“Providing security for the value of the vessel in a limitation of liability action is a prerequisite to the court ordering an injunction and issuing a notice to potential claimants.” (at 5)

“Therefore, Plaintiff-in-Limitation is entitled to an injunction staying all proceedings that have or may be filed elsewhere.” (at 6)

FACTUAL BACKGROUND

Luxury Jet Ski Rentals, LLC owned a 2024 Sea-Doo GTX PRO IBR personal watercraft involved in an accident in navigable waters near Coronado, California, in September 2024. Sassan Masserat was operating or riding the vessel and sustained injuries in a fall. The owner valued the vessel at approximately \$11,000 and submitted a letter of undertaking providing up to \$11,500 in security, including \$500 for costs. The owner represented that no other suit had been filed concerning the incident.

PROCEDURAL HISTORY

Luxury Jet Ski Rentals, LLC filed its limitation action on March 9, 2025, concerning a September 2024 accident involving its personal watercraft and Sassan Masserat. The court considered the complaint, a stipulation for the vessel's value, and a letter of undertaking. The court granted the ex parte application, approved the security, enjoined related proceedings, issued a monition, and directed publication and mailing of notice.

DISPOSITION

other

CASES CITED

- Lewis v. Lewis & Clark Marine, Inc., 531 U.S. 438, 446-47 (2001)
- Anderson v. Nadon, 360 F.2d 53, 57 (9th Cir. 1966)
- In re Complaint of Ross Island Sand & Gravel, 226 F.3d 1015, 1017 (9th Cir. 2000)
- Matter of Willamette Jet Boat Excursions, LLC, 638 F. Supp. 3d 1209, 1211-12 (D. Or. 2022)
- In re Star & Crescent Boat Co., 519 F. Supp. 3d 752, 758 (S.D. Cal. 2021)
- Complaint of Dammers & Vanderheide & Scheepvaart Maats Christina B.V., 836 F.2d 750, 755 (2d Cir. 1988)
- Hartford Acc. & Indem. Co. of Hartford v. S. Pac. Co., 273 U.S. 207, 218-19 (1927)
- The Palmyra, 25 U.S. 1, 10 (1827)
- In re Oceansound Investments, 705 F. Supp. 3d 1110, 1116 (S.D. Cal. 2023)
- Esta Later Charters, Inc. v. Ignacio, 875 F.2d 234, 236 (9th Cir. 1989)
- Dowdell v. U.S. Dist. Ct. for the N. Dist. of Cal., 139 F. 444, 446 (9th Cir. 1905)

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