

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Kersha Leanie Lampson Hodgson v. Starboard Cruise Services, Inc.,
Celebrity Cruise Line, Inc., International Cruise Shops, Ltd., and
Celebrity Silhouette, Inc.

Lampson Hodgson · No. 25-cv-23669-BLOOM/Elfenbein · Decided April 1, 2026

SUMMARY

The United States District Court for the Southern District of Florida grants Defendants’ motions to dismiss an employment-related maritime injury complaint. The Court holds that the negligence counts improperly commingle distinct theories of liability, constituting a shotgun pleading, and dismisses the Complaint without prejudice with leave to amend. The Court also finds that service of process on Celebrity Cruise Line, Inc. and Celebrity Silhouette was insufficient because Plaintiff served entities under incorrect names and did not establish service on the proper registered agents.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	Beth Bloom
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	April 1, 2026
DOCKET	25-cv-23669-BLOOM/Elfenbein
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved under Federal Rules of Civil Procedure 12(b)(4) and 12(b)(6) to dismiss Plaintiff's maritime employment-injury complaint for shotgun pleading, failure to state Jones Act claims, and insufficient service of process. The court granted both motions and dismissed the Complaint without prejudice, allowing Plaintiff to amend.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, draws reasonable inferences in the plaintiff's favor, and determines whether the complaint states a plausible claim for relief; legal conclusions are not accepted as true. On a Rule 12(b)(4) or 12(b)(5) motion, the court may make factual findings necessary to resolve disputed issues concerning service of process.

PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Kersha Leanie Lampson Hodgson v. Starboard Cruise Services, Inc., Celebrity Cruise Line, Inc., International Cruise Shops, Ltd., Celebrity Silhouette, Inc.

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the Complaint was an impermissible shotgun pleading because it commingled multiple distinct negligence theories in single counts.
2. Whether service of process on Celebrity Cruise Line, Inc. and Celebrity Silhouette, Inc. was ineffective because Plaintiff served entities under incorrect names through an agent that was not their registered agent.
3. Whether the Complaint should be dismissed without prejudice with leave to amend.

HOLDINGS

1. The Complaint was an impermissible shotgun pleading because Counts I through III commingled distinct theories of negligence rather than separating each cause of action or theory of liability into a separate count.
2. Service of process was insufficient because Plaintiff served the defendants under incorrect names and did not establish service on an authorized agent or registered agent for the correctly identified entities.
3. Dismissal was without prejudice, and Plaintiff was granted leave to file an amended complaint.

KEY QUOTATIONS

“A complaint that fails to articulate claims with sufficient clarity to allow the defendant to frame a responsive pleading [violates Rule 8(a)(2) and] constitutes a ‘shotgun pleading.’”

“The Court finds that Counts I–III of the Complaint commit the third type of sin identified by the Eleventh Circuit in Weiland—failing to separate “into a different count each cause of action or claim for relief.””

“Those documents demonstrate that neither Celebrity nor Silhouette were properly served under their correct name.”

FACTUAL BACKGROUND

Plaintiff was hired by International Cruise Ships, Ltd. to work as a sales associate aboard the M/V Celebrity Silhouette, where she alleged that Starboard and Celebrity controlled and supervised her work. She alleged that repetitive lifting of heavy boxes caused lower-back pain, menstrual bleeding, and abdominal pain, and that shipboard medical personnel diagnosed endometriosis and dysmenorrhea while allegedly disregarding her back-pain complaints. Plaintiff was later medically disembarked and diagnosed in Nicaragua with grade-four endometriosis, and she alleged that Defendants failed to provide adequate medical care, maintenance, and cure. She served Celebrity Cruise Line, Inc. and Celebrity Silhouette through CT Corporation, which rejected service because it was not the registered agent for the entities identified.

PROCEDURAL HISTORY

Plaintiff filed a maritime employment-related injury complaint asserting Jones Act negligence, unseaworthiness, maintenance and cure, and medical-care claims against four defendants. Starboard and ICS filed one motion to dismiss, while Celebrity and Celebrity Silhouette filed another. After briefing, the district court granted both motions, dismissed the Complaint without prejudice, and permitted an amended complaint by April 14, 2026.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

No remand. Plaintiff may file an Amended Complaint no later than April 14, 2026. If Plaintiff refers to an Employment Agreement or employment contract in the amended complaint, she must attach it. Plaintiff must also properly serve each improperly served defendant pursuant to Federal Rule of Civil Procedure 4.

CASES CITED

- Sprint Solutions, Inc. v. Fils-Amie, 44 F. Supp. 3d 1224, 1228 (S.D. Fla. 2014)
- Mendez-Arriola v. White Wilson Medical Center PA, No. 09-495, 2010 WL 3385356, at *3 (N.D. Fla. Aug. 25, 2010)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- American Marine Tech, Inc. v. World Group Yachting, Inc., 418 F. Supp. 3d 1075, 1079 (S.D. Fla. 2019)
- Thaeter v. Palm Beach County Sheriff's Office, 449 F.3d 1342, 1352 (11th Cir. 2006)
- Marshall County Board of Education v. Marshall County Gas District, 992 F.2d 1171, 1174 (11th Cir. 1993)
- Swinford v. Santos, 121 F.4th 179, 187 (11th Cir. 2024)
- Johnson v. City of Atlanta, 107 F.4th 1292, 1300 (11th Cir. 2024)
- Lampkin-Asam v. Volusia County School Board, 261 F. App'x 274, 277 (11th Cir. 2008)
- Byrne v. Nezhat, 261 F.3d 1075, 1128-29 (11th Cir. 2001)
- Jackson v. Bank of America, N.A., 898 F.3d 1348, 1356 (11th Cir. 2018)
- Cramer v. Florida, 117 F.3d 1258, 1263 (11th Cir. 1997)
- B.L.E. v. Georgia, 335 F. App'x 962, 963 (11th Cir. 2009)

- Weiland v. Palm Beach County Sheriff's Office, 792 F.3d 1313, 1320-23 (11th Cir. 2015)
- Gautam v. City of Sunrise, No. 25-CV-60841, 2025 WL 2418392, at *10 (S.D. Fla. Aug. 21, 2025)
- Miles v. Carnival Corp., 767 F. Supp. 3d 1368, 1373 (S.D. Fla. 2025)
- Ortiz v. Carnival Corp., No. 20-cv-24838, 2020 WL 6945958, at *1 (S.D. Fla. Nov. 25, 2020)
- White v. Carnival Corp., No. 25-CV-20925, 2025 WL 1865127, at *3 (S.D. Fla. July 7, 2025)
- Gayou v. Celebrity Cruises, Inc., No. 11-23359-Civ, 2012 WL 2049431, at *5-*6 & n.2 (S.D. Fla. June 5, 2012)
- Flaherty v. Royal Caribbean Cruises, Ltd., No. 15-22295, 2015 WL 8227674, at *3 n.3 (S.D. Fla. Dec. 7, 2015)
- Lanza v. Hobby Lobby Stores, Inc., No. 24-cv-24043, 2025 WL 507308, at *3 (S.D. Fla. Feb. 14, 2025)
- Doe By v. Hernando County School District, No. 8:23-CV-1772-CEH-AAS, 2023 WL 5758934, at *2 (M.D. Fla. Sept. 6, 2023)
- Friedman v. Schiano, 777 F. App'x 324, 331 (11th Cir. 2019)
- Robles-Martinez v. Diaz, Reus & Targ, LLP, 88 So. 3d 177, 179 (Fla. 3d DCA 2011)
- Samuel Slomowitz and Ruth Slomowitz, n/k/a Ruth Vogel, Appellants, v. E.O. Walker and Geneva Walker, n/k/a Geneva Stevens, Appellees., Slomowitz v. Walker, 429 So. 2d 797, 800 (Fla. 4th DCA 1983)
- Bryant v. Rich, 530 F.3d 1368, 1376 (11th Cir. 2008)
- Transcontinental Insurance Co. v. L.F. Staffing Services, Inc., No. 07-80865-CIV, 2008 WL 11333664 (S.D. Fla. 2008)
- United States v. A.H. Fischer Lumber Co., 162 F.2d 872, 874 (4th Cir. 1947)
- People of the Living God v. Star Towing Co., 289 F. Supp. 635, 641 (E.D. La. 1968)
- Vazquez v. Graco, Inc., No. 23-20703-CV, 2023 WL 11988787, at *1 (S.D. Fla. 2023)
- Cortaza v. Kijakazi, No. 20-CV-23705, 2023 WL 2165149, at *4 (S.D. Fla. 2023)
- Jacobus v. Commissioner of Social Security, 664 F. App'x 774, 777 (11th Cir. 2016)
- United States Steel Corp. v. Astrue, 495 F.3d 1272, 1287 (11th Cir. 2007)