

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CIVIL CASE NO. 16-CR-20897-SEITZ

UNITED STATES OF AMERICA,

vs.

PRINCESS CRUISE LINES, LTD.,

Defendant.

---

**RESPONSE TO THE PETITION FOR WRIT OF MANDAMUS**


THIS MATTER came before the Court on the Eleventh Circuit Court of Appeal's order permitting the Court to respond to the Petition for Writ of Mandamus filed under case number 19-12291-Q. The Court appreciates the opportunity.

The Court reviewed the original motion to intervene, the petition for writ of mandamus, and researched the issue further. It is still the Court's conclusion, as stated on the record, that the proposed intervenors in this case did not specifically allege to have suffered particular harm that was proximately caused by the Defendants. Rather, they alleged general harm that could have been suffered by any other resident or visitor to the Bahama or Alaska or any other place where these cruises operate and pollute. Therefore, even though the Court sympathizes with their frustration, fervor, and their outrage, the proposed intervenors are not "victims" as that term is defined by the CVRA.

To be sure, that is not to say that there are *no* victims of the Defendants' actions or that a successful showing under the CVRA cannot be made in this case. As shown in cases like *U.S. v. Citgo Petroleum Corporation, et. al.*, No. 06-cr-00563 (S.D. Texas Sept. 14, 2012), DE 819, the CVRA *can* be successfully used by victims of environmental crimes. But, unlike in the *Citgo* case, the proposed intervenors here did not allege harm specific to themselves or that such harm, even if

alleged, was proximately caused by the Defendants. As such, after setting forth that conclusion on the record, the Court denied the motion to intervene without an evidentiary hearing.

DONE AND ORDERED in Miami, Florida, this 18<sup>th</sup> day of June 2019.

  
PATRICIA A. SEITZ  
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record