

ACTIVITY: Scuba diving
CASE: GSAF 2011.06.28

DATE: Tuesday June 28, 2011

LOCATION: The accident took place in the Indian Ocean on Aliwal Shoal, located off the south coast of KwaZulu-Natal, South Africa.

NAME: Paolo Stanchi

DESCRIPTION: He is a 22-year-old male, a researcher from the USA. He is an Advanced Scuba Diver, part of a team of interns who were diving with the underwater film company, Blue Wilderness, for almost a month. He was wearing split fins with black and grey stripes.

BACKGROUND

WEATHER: At 12h00, Umkomaas recorded clear skies. The air temperature was 68°F, dew point 50°F, humidity 52%, sea level pressure 29.95 inches (falling), and wind direction was ENE at 4.6 mph.

MOON PHASE: Waning Crescent, 9% of the Moon was illuminated. New Moon, July 1, 2011.

ENVIRONMENT: The accident took place in the Aliwal Shoal Marine Protected Area (MPA) Although there were a few sardines around, the annual sardine run had not yet arrived. However, it was later said that the boat from which he was diving chummed the water to attract sharks that could be viewed by their paying guests.

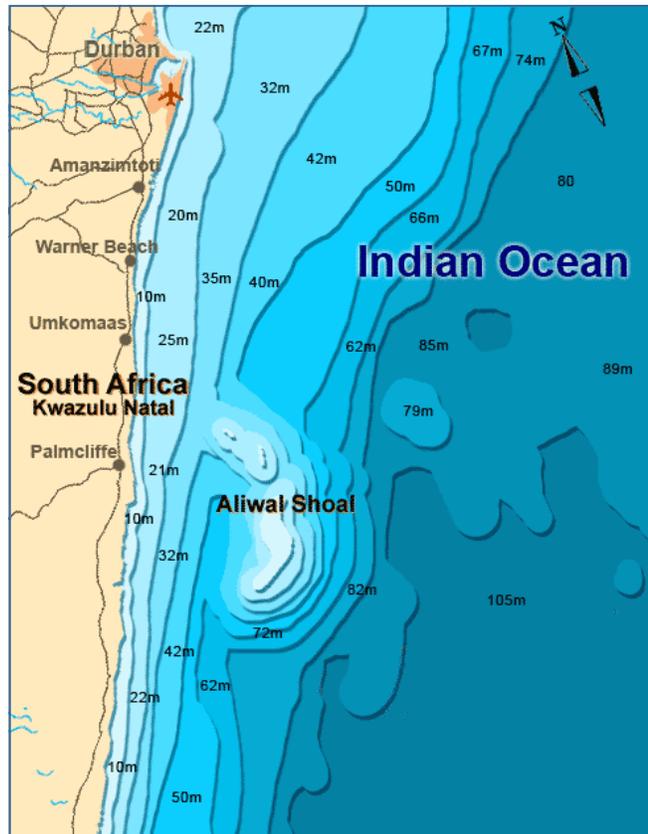
DISTANCE FROM SHORE: Approximately five km.

TIME: Just after 12h00

NARRATIVE: Paolo Stanchi took fish out of the bucket, scattered them in the water and shook the bait bucket. He was close to the bait bucket and facing it, thus failed to see the shark approaching him from behind and below. The shark went after his swim fins and bit his leg. It was initially speculated that the shark mistook the diver's fins for a small shoal of fish.

INJURY: The diver sustained lacerations to both hands (defense wounds) and severe lacerations to his left leg. He subsequently lost his leg.

FIRST AID: Blue Wilderness staff managed to stop the blood flow quickly. Ryan and Clare Daly of Blue Wilderness, rescue diver Peter Bauer, and local skipper Alistair Louw provided medical care onsite. Paramedics stabilized the diver before he was airlifted to the Inkosi Albert Luthuli Central Hospital in Durban.



SPECIES: The accident involved a dusky shark 3 to 3.5 metres in length.

SOURCES: Surfline.com, June 28, 2011; East Coast Radio, June 29, 2011; IOL News, June 29, 2011, records from the Circuit Court of the seventeenth judicial circuit in and for St. Johns County, Florida, et al

Note: Paolo Stanchi subsequently sued 3 Fathoms, Inc., University of Miami, Blue Wilderness Dive Expeditions and Mark Addison, owner of Blue Wilderness. The case is currently being appealed.

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FIFTH DISTRICT	
	NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND DISPOSITION THEREOF IF FILED
PAOLO STANCHI,	
Appellant,	
v.	Case No. 5D17-2773
3 FATHOMS, INC., UNIVERSITY OF MIAMI, BLUE WILDERNESS DIVE EXPEDITIONS, CC A/K/A BLUE WILDERNESS AND MARK ADDISON,	
Appellees.	
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Decision filed February 12, 2019	
Appeal from the Circuit Court for St. Johns County, J. Michael Traynor, Judge.	
John F. Romano, of Romano Law Group, Michael D. Eriksen of Eriksen Law Firm, and Philip M. Burlington and Adam Richardson, of Burlington & Rockenbach, P.A., West Palm Beach, for Appellant.	
Michael Fertig and Jennifer Cohen Glasser, of Akerman, LLP, Miami, and Christine Davis Graves and James Parker- Flynn, of Carlton Fields, Tallahassee, for Appellee University of Miami.	
Robert D. Peltz, of The Peltz Law Firm, Miami, Amicus Curiae for Andrew C.R. Cobb, in support of Appellant.	
No Appearance for other Appellees.	
PER CURIAM.	
AFFIRMED.	
EVANDER, C.J., GROSSHANS and SASSO, JJ., concur.	