

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**KURIAN DAVID, et al.  
Plaintiffs**

**CIVIL ACTION**

**VERSUS**

**No. 08-1220**

**SIGNAL INTERNATIONAL, LLC, et al.,  
Defendants**

**SECTION "E"**

**Related Cases:**

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,  
Plaintiff**

**CIVIL ACTION**

**VERSUS**

**No. 12-557**

**SIGNAL INTERNATIONAL, LLC, et al.,  
Defendants**

**SECTION "E"**

**LAKSHMANAN PONNAYAN ACHARI, et al.,  
Plaintiffs**

**CIVIL ACTION**

**VERSUS**

**No. 13-6218  
(c/w 13-6219, 13-6220,  
13-6221)**

**SIGNAL INTERNATIONAL, LLC, et al.,  
Defendants**

**SECTION "E"**

**Applies To: *David v. Signal* (08-1220)**

**ORDER AND REASONS**

Before the Court is Signal International, LLC's ("Signal") Motion for Partial

Summary Judgment.<sup>1</sup> Plaintiffs oppose Signal's motion.<sup>2</sup>

Signal seeks partial summary judgment "recognizing [its] constitutionally protected right to pursue, at trial, its defense of innocence by questioning those who accuse it of criminal and other wrongdoing about motive."<sup>3</sup> Under Federal Rule of Civil Procedure 56(a), "[a] party may move for summary judgment, identifying each claim or defense - or the part of each claim or defense - on which summary judgment is sought." Fed. R. Civ. P. 56(a).

The relief Signal seeks is not the proper object of a summary judgment motion. A judgment recognizing Signal's right to question the plaintiffs about motive would not resolve a "claim or defense" as contemplated by Rule 56. Although Signal asserts its motion seeks a protection of its right to prove a defense of "innocence," Signal's motion does not seek a judgment dismissing Plaintiffs' claims and recognizing its actual innocence. Signal merely requests its *right* to pursue a defense of innocence be recognized through summary judgment. The Court finds Signal's use of a Rule 56 motion improper.

Accordingly, **IT IS ORDERED** that Signal's Motion for Partial Summary Judgment be and hereby is **DENIED**.

**New Orleans, Louisiana, this 12th day of February, 2014.**

  
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**SUSIE MORGAN**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup>R. Doc. 1466.

<sup>2</sup>R. Doc. 1505.

<sup>3</sup>R. Doc. 1466, p. 1.