

**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"**

**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, 14-732, 14-  
1818)**

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

**SECTION "E"**

**Applies To:  
*David v. Signal*  
(No. 08-1220)**

**ORDER**

Before the Court is a Motion for Partial Summary Judgment on Certain Principal-Agent Relationships filed by Plaintiffs.<sup>1</sup> Plaintiffs seek an order finding that the Pol Defendants, the Dewan Defendants, and the Burnett Defendants are agents of Signal. Plaintiffs seek to hold Signal liable for the actions of its putative agents under the doctrines of actual authority (express or implied), apparent authority, and ratification. As the Mississippi Supreme Court has recognized,<sup>2</sup> "the determination of whether an agency relationship exists is a question of fact for the jury."<sup>3</sup> So too are the questions of whether apparent authority exists and whether a principal has ratified the conduct of its agent.<sup>4</sup> Having reviewed the summary judgment record in the light most favorable to Signal, the Court finds there are genuine issues of material fact that must be decided by the jury.

Accordingly;

**IT IS ORDERED** that the Motion is **DENIED**.

**New Orleans, Louisiana, this 7th day of January, 2015.**

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

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<sup>1</sup> R. Doc. 1847.

<sup>2</sup> The Court previously ruled that Mississippi law governs all issues of agency in this case. *See* R. Doc. 2088.

<sup>3</sup> *Miller v. R.B. Wall Oil Co.*, 970 So. 2d 127, 132 (Miss. 2007).

<sup>4</sup> *See Alexander v. Tri-Cnty. Coop. (AAL)*, 609 So. 2d 401, 403 (Miss. 1992) ("This Court has clearly stated that apparent authority is an issue of fact."); *Covington v. Butler*, 242 So. 2d 444, 447 (Miss. 1970) ("[T]he question whether [the principal] ratified the action of his agent . . . [is] a question of fact . . .").