

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

SLATTEN, LLC, et al.

CIVIL ACTION

VERSUS

NO: 13-673

ROYAL CARIBBEAN CRUISES LTD.,
et al.

SECTION: R(5)

ORDER AND REASONS

Marquette Transportation Company Gulf-Inland, LLC and United Bulk Terminals Davant, LLC ("UBT") move in limine to preclude evidence of a Plaquemines Port rule specifying barge mooring requirements on the basis that the local rule is preempted by federal law. The Court denies the motion and refers the preemption issue to the merits. Deciding the motion at this time would not result in exclusion of evidence on Marquette's and UBT's mooring practices because the evidence is relevant not only to a potential violation of the Plaquemines Port rule, but also to UBT's and Marquette's compliance with UBT's United States Army Corps of Engineers ("USACE") permit and good maritime practices.

Evidence pertaining to the Plaquemines Port rule at issue is conditionally admissible pending the Court's resolution of the legal issue or preemption.

New Orleans, Louisiana, this 31st day of October, 2014.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE