

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CIVIL ACTION

IN THE MATTER OF
MARQUETTE
TRANSPORTATION COMPANY
GULF-INLAND, LLC, AS
OWNER AND OPERATOR OF
THE TOWING VESSEL FATHER
SEELOS, ETC.

NO. 13-5114

SECTION: R

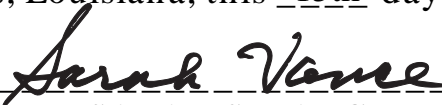
ORDER

This case arises out of a July 7, 2013 collision between the FATHER SEELOS, a towing vessel owned and operated by Marquette Transportation Company Gulf-Inland, LLC's ("Marquette"), and a fishing vessel owned by John Tran, who was killed in the collision. Marquette seeks exoneration from or limitation of liability under 46 U.S.C. § 30501, *et seq.*, while claimants Susan Tran (individually and as a personal representative of the decedent, John Tran, on behalf of herself and her minor child, Marsha Tran), Quoc Tran, Jeanie Tran, and Nancy Pham assert claims against Marquette under general maritime law and the survival and wrongful death laws of Texas. Trial is currently scheduled for July 11, 2016.

On April 25, 2016, Marquette filed a motion for partial summary judgment.¹ Marquette argued that this case is governed exclusively by federal maritime law and that the Tran claimants' damages claims under Texas's wrongful death and survival laws must therefore be dismissed. On April 26, 2016, the Court ruled that because John Tran was a nonseafarer killed in Texas's territorial waters, the Tran claimants are permitted to seek damages under that state's wrongful death and survival statutes.² In light of this ruling, and for the reasons explained in the Court's order, Marquette's motion for partial summary judgment is DENIED.

On May 5, 2016, Marquette moved the Court to conduct a status conference for the purpose of rescheduling the then-existing trial date of June 13, 2016.³ After consulting with counsel for all parties, the Court continued trial to the mutually-agreeable date of July 11, 2016. Therefore, Marquette's motion for a status conference is DENIED AS MOOT.

New Orleans, Louisiana, this 15th day of June, 2016.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE

¹ R. Doc. 121.

² R. Doc. 127.

³ R. Doc. 139.