

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

JOSEPH DUKES

CIVIL ACTION

VERSUS

NO. 15-4948

ZAFIRO MARINE

SECTION M (3)

ORDER & REASONS

Defendant CVI Global Lux Oil and Gas 4 S.a.r.l. (“CVI”) filed a motion for summary judgment seeking dismissal of plaintiff’s unseaworthiness claims against it.¹ CVI argues that, because plaintiff Joseph Dukes (“Dukes”) was not a seaman aboard its vessel, but rather a passenger, Dukes cannot bring an unseaworthiness claim against CVI.² Dukes does not dispute that he does not have an unseaworthiness claim against CVI, and does not oppose the motion.³

Accordingly

IT IS ORDERED that CVI’s motion for summary judgment regarding Dukes’ unseaworthiness claims is GRANTED, and those claims are DISMISSED WITH PREJUDICE.

New Orleans, Louisiana, this 30th day of November, 2018.



BARRY W. ASHE
UNITED STATES DISTRICT JUDGE

¹ R. Doc. 92.

² R. Doc. 92-1 at 1-5.

³ R. Doc. 100. Dukes correctly notes that CVI had not moved for summary judgment on his negligence claims against it. Therefore, those claims remain pending.