

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

PATRICK KNOX

CIVIL ACTION

VERSUS

NO. 16-13350
C/W 18-6015

BISSO MARINE, LLC, ET AL

SECTION: M (5)
*Pertains to 16-13350***ORDER AND REASONS**

Before the Court is defendant Coastal Towing, LLC's Motion to Strike Affirmative Defenses of Bisso Marine, LLC.¹ Coastal argues that it was prejudiced by Bisso's filing the affirmative defenses a week before the pre-trial conference that was previously scheduled for August 23, 2018.² Coastal argues that the late filing deprived it of "fair notice" of the defenses and the ability to conduct discovery on the issues raised by the defenses.³

At the August 23, 2018 pre-trial conference, the trial, which was set for September 17, 2018, was continued, and a status conference was scheduled instead.⁴ On September 11, 2018, the case was transferred to this Section of Court.⁵ Thereafter, this Court cancelled the September 17, 2018 status conference, and ordered the parties to submit status reports.⁶ After reviewing the status reports, this Court set a status conference for October 3, 2018, at 11 a.m. at which a new trial date, and other dates related only to the indemnity and insurance coverage issues, will be selected.⁷

¹ R. Doc. 133.

² *Id.*

³ *Id.*

⁴ R. Doc. 139.

⁵ R. Doc. 145.


⁶ R. Doc. 146.

⁷ R. Doc. 161.

Because the trial of this matter has been continued and new dates will be selected, Coastal has not been prejudiced by Bisso's filing of its affirmative defenses. Therefore,

IT IS ORDERED that Coastal Towing, LLC's Motion to Strike Affirmative Defenses of Bisso Marine, LLC is DENIED.

New Orleans, Louisiana, this 3rd day of October 2018.


BARRY W. ASHE
UNITED STATES DISTRICT JUDGE