

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

COX OPERATING, L.L.C.

CIVIL ACTION

VERSUS

No. 17-1933

SETTOON TOWING, LLC ET AL.

SECTION I

ORDER AND REASONS

Before the Court is a motion¹ filed by plaintiff Cox Operating, L.L.C. (“Cox”) for partial summary judgment. Specifically, Cox asks the Court to dismiss the Complaint for Exoneration from or Limitation of Liability filed by defendant Settoon Towing, LLC (“Settoon”). Settoon opposes² the motion.

Having considered the parties’ briefs and evidence, as well as the applicable case law, the Court concludes that partial summary judgment in Cox’s favor is wholly inappropriate, as the parties genuinely dispute numerous facts material to the limitation issue. The Court therefore denies Cox’s motion.

In light of the Court’s denial of Cox’s motion, the Court also dismisses as moot Settoon’s pending motion³ to strike several exhibits submitted by Cox in support of its motion. Accordingly,

IT IS ORDERED that Cox’s motion for partial summary judgment is **DENIED**.


¹ R. Doc. No. 64.

² R. Doc. No. 73.

³ R. Doc. No. 74.

IT IS FURTHER ORDERED that Settoon's motion to strike is **DISMISSED**
AS MOOT.

New Orleans, Louisiana, June 7, 2018.



LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE