

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

**MARSHALL DUKES,
Plaintiff**

CIVIL ACTION

VERSUS

NO. 17-3159

**BP EXPLORATION & PRODUCTION
INC., ET AL.,
Defendants**

SECTION: "E" (2)

ORDER AND REASONS

Before the Court is a motion for summary judgment filed by BP Exploration & Production Inc., BP America Production Company, BP p.l.c., Halliburton Energy Services, Inc., Transocean Holdings, LLC, Transocean Deepwater, Inc., and Transocean Offshore Deepwater Drilling, Inc. (collectively "Defendants")¹ against Marshall Dukes ("Plaintiff"). The motion was filed on October 11, 2022.² Plaintiff's opposition to the motion was due on October 18, 2022.³ As of the date of this Order and Reasons, no opposition to the instant motion has been filed, and Plaintiff has not moved for an extension of his deadline to file an opposition brief. Defendants' motion for summary judgment is, therefore, unopposed. Although this dispositive motion is unopposed, summary judgment is not automatic, and the Court must determine whether Defendants have shown they are entitled to judgment as a matter of law.⁴

Defendants' instant motion is nearly identical to the one filed by Defendants, and

¹ R. Doc. 61. Halliburton Energy Services, Inc., Transocean Holdings, LLC, Transocean Deepwater, Inc., and Transocean Offshore Deepwater Drilling, Inc. joined in the motion for summary judgment filed by BP Exploration & Production, Inc., BP America Production Company, and BP p.l.c. *Id.* at p. 1 n.1.

² *Id.*

³ R. Doc. 61-4.


⁴ *See, e.g., Johnson v. Pettiford*, 442 F.3d 917, 918 (5th Cir. 2006); FED. R. CIV. P. 56(a).

granted by this Court, in other B3 cases.⁵

Accordingly, for the reasons stated in the Orders & Reasons issued in the cited B3 cases;

IT IS ORDERED that the motion for summary judgment⁶ is **GRANTED**. Judgment is granted in favor of Defendants BP Exploration & Production Inc., BP America Production Company, BP p.l.c., Halliburton Energy Services, Inc., Transocean Holdings LLC, Transocean Deepwater, Inc., and Transocean Offshore Deepwater Drilling, Inc. and against Plaintiff Marshall Dukes on all claims.

New Orleans, Louisiana, this 18th day of November, 2022.



SUSIE MORGAN
UNITED STATES DISTRICT JUDGE

⁵ See *Davis v. BP Exploration & Production Inc., et al.*, Civ. A. 17-3141 at R. Doc. 48 (E.D. La. 7/5/22) (Morgan, J.); see also *Brown v. BP Exploration & Production Inc., et al.*, Civ. A. 17-3101 at R. Doc. 59 (E.D. La. 11/18/22) (Morgan, J.).

⁶ R. Doc. 61.