

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

MATTHEW LEWIS COLLINGWOOD

CIVIL ACTION

VERSUS

NO: 17-4888

KNOTS MARINE INSHORE, INC., ET
AL.

SECTION: "A" (2)

ORDER AND REASONS

The following motion is before the Court: **Motion for Summary Judgment (Rec. Doc. 17)** filed by defendant/cross claimant Knots Marine Inshore, Inc. Defendant Weeks Marine, Inc. opposes the motion. The motion, submitted on August 9, 2017, is before the Court on the briefs without oral argument.

On or about May 20, 2016, Matthew Collingwood sustained personal injuries in the course and scope of his employment with Knots Marine. The accident allegedly occurred when Knots Marine's vessel, the HOOKING BULL, was struck by the ALEXANDRIA, a vessel owned and operated by Weeks Marine. Knots Marine contends that Weeks Marine owes defense and indemnity pursuant to the parties' Master Services Agreement.

Weeks Marine points out in its opposition to the motion that the Agreement's release obligations are not absolute because they do not apply to willful misconduct or sole negligence by Knots Marine. Moreover, no discovery has been exchanged and the case is in its infancy. According to Weeks Marine, Knots Marine's motion, which relies solely on the Agreement itself, is not well-supported with evidence for purposes of

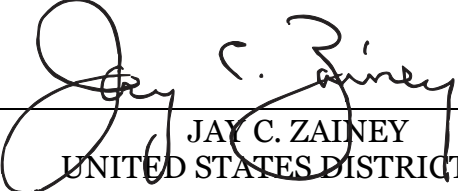
obtaining summary judgment.

For the reasons argued by Weeks Marine, the Court finds Knots Marine's motion to be premature.

Accordingly, and for the foregoing reasons;

IT IS ORDERED that the **Motion for Summary Judgment (Rec. Doc. 17)** filed by defendant/cross claimant Knots Marine Inshore, Inc. is **DENIED** without prejudice as premature.

August 18, 2017



JAY C. ZAINNEY
UNITED STATES DISTRICT JUDGE