

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

ROBERT STEPHEN SENTILLES

CIVIL ACTION

VERSUS

NO. 21-958

HUNTINGTON INGALLS
INCORPORATED, *et al.*

SECTION M (3)

ORDER & REASONS

Before the Court is a motion by third-party defendants Foster Wheeler LLC, General Electric Company, and ViacomCBS Inc. (collectively, “Movants”) to dismiss the third-party demand made against them by Huntington Ingalls Inc. (“HII”).¹ Movants argue that HII’s third-party demand against them should be dismissed with prejudice because HII failed to comply with the Court’s scheduling order and the local and federal rules by untimely filing the third-party demand without seeking leave of court.² Movants also argue that they are prejudiced by the late filing because there is little time for discovery before trial.³

HII responds in opposition arguing that it timely filed its third-party demand within the applicable delays after plaintiff filed his amended complaint.⁴ HII further argues that only plaintiff’s deposition has occurred and HII notified Movants of the deposition in an abundance of caution before filing the third-party complaint, but Movants chose not to participate.

Having considered the parties’ memoranda, the record, and the applicable law, the Court finds that the arguments presented in Movants’ motion and HII’s opposition are substantially similar to those raised in connection with John Crane Inc.’s motion to dismiss HII’s third-party

¹ R. Doc. 84. Movants also reply in further support of their motion. R. Doc. 99.

² R. Doc. 84-1.


³ *Id.*

⁴ R. Doc. 95.

demand as untimely,⁵ which the Court denied.⁶ Accordingly, for the same reasons stated in that Order & Reasons,

IT IS ORDERED that Movants' motion to dismiss (R. Doc. 84) is DENIED.

New Orleans, Louisiana, this 27th day of January, 2022.


BARRY W. ASHE
UNITED STATES DISTRICT JUDGE

⁵ See R. Docs. 80; 86; 94.

⁶ R. Doc. 97.