

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

**IN THE MATTER OF OFFSHORE
OIL SERVICES, INC.**

CIVIL ACTION

NO. 21-1522

SECTION: “E” (2)

ORDER AND REASONS

Before the Court is a Motion for Reconsideration filed by Third Party Plaintiff Offshore Oil Services, Inc. (“Offshore”).¹ For the reasons that follow, Offshore’s Motion for Reconsideration is **DENIED**.

LAW AND ANALYSIS

On March 22, 2023, this Court entered its Order and Reasons granting summary judgment in favor of Third Party Defendant Island Operating Company, Inc. (“IOC”) and against Offshore with respect to Offshore’s indemnity claim and indemnity insurance coverage claim.² The Court denied IOC’s motion for summary judgment with respect to Offshore’s claim for defense costs.³

In partially granting IOC’s motion for summary judgment, the Court applied, *inter alia*, the “maritime contract” analysis formulated by the Fifth Circuit in *In re Larry Doiron, Inc.*⁴ The Court found the reasoning of a recent case out of the Eastern District of Louisiana, *In the Matter of Aries Marine Corporation, et al.*, persuasive in its application of *Doiron*’s framework.⁵

¹ R. Doc. 90.

² R. Doc. 86.

³ *Id.*

⁴ *Id.* at p. 11 (laying out the framework announced in *In re Larry Doiron, Inc.*, 879 F.3d 568, 569 (5th Cir. 2018) (en banc)).

⁵ *Id.* at p. 18 (“The Court finds the reasoning of *Aries Marine* highly persuasive.”).


Following this Court's ruling, a motion for reconsideration was filed in *Aries Marine*.⁶ Solely on this basis, Offshore filed the instant April 19, 2023 Motion for Reconsideration of this Court's March 22, 2023 Order and Reasons because "an alteration or modification of the *Aries Marine* ruling may materially affect the Court's ruling here."⁷

On April 24, 2023, the district judge presiding over *Aries Marine* denied reconsideration.⁸ As a result, and because Offshore's Motion for Reconsideration is predicated entirely on reconsideration in *Aries Marine*, the Court finds Offshore has presented no basis for the Court to reconsider the March 22, 2023 Order and Reasons.

Accordingly;

IT IS ORDERED that Offshore's Motion for Reconsideration⁹ is **DENIED**.

New Orleans, Louisiana, this 25th day of April, 2023.



SUSIE MORGAN
UNITED STATES DISTRICT JUDGE

⁶ *In the Matter of Aries Marine Corporation, et al.*, Civ. A. 19-10850, R. Doc. 297 (E.D. La. 4/24/2023) (Africk, J.) (denying R. Doc. 260, motion for reconsideration).

⁷ R. Doc. 90-1 at p. 5.

⁸ *In the Matter of Aries Marine Corporation, et al.*, Civ. A. 19-10850, R. Doc. 297 (E.D. La. 4/24/2023) (Africk, J.) (denying R. Doc. 260, motion for reconsideration).

⁹ R. Doc. 90.