

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

WESLEY E. BROWN

CIVIL ACTION

VERSUS

NO. 22-369

RODI MARINE, LLC, ET AL.

SECTION: "P" (5)

ORDER AND REASONS

Before the Court is a motion for summary judgment filed by defendants Talos Energy LLC and Talos Oil & Gas LLC (together, "Talos"), arguing that there is no evidence that Talos, as time charterer of the M/V MR. LLOYD, a vessel owned and operated by defendant Rodi Marine, LLC, breached any duty owed to plaintiff Wesley E. Brown or that any negligence on Talos's part caused Brown's injuries.¹ Brown responds in opposition, pointing to disputed issues of material fact that he says bear upon Talos's duty and negligence and render summary judgment inappropriate.² In support of his argument, Brown cites *Shannon v. Rodi Marine, LLC*, 2024 WL 732017 (E.D. La. Feb. 22, 2024), in which the court denied a nearly identical motion for summary judgment filed by Talos in a personal injury case involving the same time charter agreement.³ Talos replies in further support of its motion, reurging that Brown cites no evidence or law establishing that Talos, as time charterer, breached any duty owed to Brown and arguing that the court got it wrong in *Shannon*.⁴

Having considered the parties' memoranda, the record, and the applicable law, the Court finds that Brown has identified genuine disputes of material fact, citing and supplying sufficient supporting evidence, to preclude summary judgment. Accordingly,

¹ R. Doc. 48.

² R. Doc. 50.

³ *Id.* at 13-16.

⁴ R. Doc. 52.

IT IS ORDERED that Talos's motion for summary judgment (R. Doc. 48) is DENIED because there are disputed issues of material fact regarding Talos's alleged duty and negligence.

New Orleans, Louisiana, this 25th day of October 2024.



DARREL JAMES PAPILLION
UNITED STATES DISTRICT JUDGE