

BILLY DENSON

*

NO. 2006-CA-0568

VERSUS

*

COURT OF APPEAL

**DIAMOND OFFSHORE
COMPANY AND WALTER
OIL & GAS CORPORATION**

*

FOURTH CIRCUIT

*

STATE OF LOUISIANA

*

*

MURRAY, J., DISSENTS WITH REASONS

The plaintiff couches the issue presented as whether Walter Oil & Gas Corporation retained operational control and emphasizes the presence of Walter's company man on board. However, there is no evidence of negligence. What the plaintiff actually is alleging is an unseaworthiness claim, which is not a viable claim against Walter—a non-vessel owner. For these reasons, I respectfully dissent.