

2014 WL 1494367
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United States District Court,
E.D. Louisiana.

Kurian DAVID, et al. Plaintiffs
v.
SIGNAL INTERNATIONAL, LLC, et al.,
Defendants
Related Cases:
Equal Employment Opportunity Commission,
Plaintiff
v.
Signal International, LLC, et al., Defendants
Lakshmanan Ponnayan Achari, et al., Plaintiffs
v.
Signal International, LLC, et al., Defendants.
Applies To: David v. Signal (08-1220).
Civil Action Nos. 08-1220, 12-557, 13-6218,
13-6219, 13-6220, 13-6221.
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Signed Feb. 12, 2014.

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ORDER AND REASONS

SUSIE MORGAN, District Judge.

***1** Before the Court is Signal International, LLC's ("Signal") Motion for Partial Summary Judgment.¹ Plaintiffs oppose Signal's motion.²

Signal seeks partial summary judgment "recognizing [its] constitutionally protected right to pursue, at trial, its defense of innocence by questioning those who accuse it of criminal and other wrongdoing about motive."³ Under Federal Rule of Civil Procedure 56(a), "[a] party may move for summary judgment, identifying each claim or defense-or the part of each claim or defense-on which summary judgment is sought." Fed.R.Civ.P. 56(a).

The relief Signal seeks is not the proper object of a summary judgment motion. A judgment recognizing Signal's right to question the plaintiffs about motive would not resolve a "claim or defense" as contemplated by Rule 56. Although Signal asserts its motion seeks a protection of its right to prove a defense of "innocence," Signal's motion does not seek a judgment dismissing Plaintiffs' claims and recognizing its actual innocence. Signal merely requests its *right* to pursue a defense of innocence be recognized through summary judgment. The Court finds Signal's use of a Rule 56 motion improper.

Accordingly, **IT IS ORDERED** that Signal's Motion for Partial Summary Judgment be and hereby is **DENIED**.

All Citations

Not Reported in F.Supp.2d, 2014 WL 1494367

Footnotes

¹ R. Doc. 1466.

² R. Doc. 1505.

³ R. Doc. 1466, p. 1.