

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
GEORGIA, SAVANNAH DIVISION

**Marlon J. Brown v. MSC Ship Management, Ltd., MSC
Mediterranean Shipping Co., and Meridian 7 Ltd.**

Brown · No. 4:23-CV-182 · Decided January 21, 2026

SUMMARY

The court denied defendants’ motion for reconsideration of a prior summary-judgment order in a Longshore and Harbor Workers’ Compensation Act vessel-negligence action. The court held that evidence concerning worn gangway treads, including expert materials, photographs, video, and eyewitness testimony, created a triable issue regarding causation and did not require impermissible jury speculation. The court left its July 1, 2025 order in effect and set deadlines for the pretrial order, pretrial conference, and jury trial.

CASE DETAILS

COURT	United States District Court for the Southern District of Georgia, Savannah Division
WRITING FOR THE COURT	Lisa Godbey Wood
JURISDICTION	United States District Court for the Southern District of Georgia, Savannah Division
DECIDED	January 21, 2026
DOCKET	4:23-CV-182
DISPOSITION	denied
PROCEDURAL POSTURE	Defendants moved for reconsideration of the court's prior order granting in part and denying in part their motion for summary judgment, specifically challenging the denial of summary judgment on causation under the Longshore and Harbor Workers' Compensation Act.
STANDARD OF REVIEW	A motion to reconsider a summary-judgment order is generally evaluated under the Rule 59(e) standard. Reconsideration is warranted only for an intervening change in controlling law, newly available evidence, or the need to correct clear error or prevent manifest injustice; the court reviews whether the prior causation ruling was

clear error while viewing the evidence in the light most favorable to Plaintiff.

PRECEDENTIAL VALUE

Unpublished district-court order; persuasive rather than precedential

TOPICS

longshore and harbor workers compensation

negligence

summary judgment

admiralty

PRACTICE AREAS

Admiralty and maritime law

Longshore and Harbor Workers' Compensation Act

Civil procedure

Summary judgment

Negligence

QUESTIONS PRESENTED

1. Whether reconsideration of the prior summary-judgment order was warranted under the Rule 59(e) standard.
2. Whether the record contained sufficient evidence for a reasonable jury to find that worn gangway treads factually and proximately caused Plaintiff's fall and injuries without impermissible speculation.

HOLDINGS

1. Reconsideration was not warranted because Defendants did not establish an intervening change in controlling law, newly available evidence, clear error, or manifest injustice.
2. The record contained sufficient evidence from which a reasonable jury could find that worn gangway treads existing at turnover factually and proximately caused Plaintiff's fall and injuries; the jury would not have to impermissibly speculate about causation.

KEY QUOTATIONS

"Viewing the evidence in the light most favorable to Plaintiff, the Court concludes that denial of summary judgment as to causation was not clear error because a reasonable jury could find that the worn treads caused the fall without impermissibly speculating about the handline." (Conclusion)

"Therefore, the jury will not have to speculate about causation." (Discussion)

FACTUAL BACKGROUND

Marlon Brown, a longshoreman, slipped and fell near the bottom of a vessel's gangway while the vessel was docked at the Port of Savannah on October 9, 2022, tearing his quadricep muscle. Brown attributed the fall to worn treads on the lower gangway steps and the tautness of a rope handline. The record included videos, photographs, an expert report identifying unusual wear on the lower five steps, a checklist noting worn treads, and eyewitness testimony that Brown's foot struck overly worn tread. The court had previously found no evidence that the handline condition was a breach of a vessel duty, but determined that evidence concerning worn treads supported a triable causation issue.

PROCEDURAL HISTORY

Plaintiff brought a vessel-negligence action under 33 U.S.C. § 905(b) based on injuries sustained while descending a ship's gangway. On July 1, 2025, the court granted in part and denied in part Defendants' motion for summary judgment, holding that only the turnover duty was implicated and that causation presented a triable issue. Defendants then moved for reconsideration, arguing that Plaintiff's competing causation theories required impermissible jury speculation. The court denied reconsideration and left its prior summary-judgment order in place.

DISPOSITION

denied

CASES CITED

- *Scindia Steam Navigation Co. v. De Los Santos*, 451 U.S. 156, 165, 166, 172 (1981)
- *Miller v. Navalmar (U.K.) Ltd.*, 685 F. App'x 751, 755 (11th Cir. 2017) (per curiam)
- *Howlett v. Birkdale Shipping Co.*, 512 U.S. 92, 93–94 (1994)
- *Moon v. Cincinnati Ins. Co.*, 975 F. Supp. 2d 1326, 1328 (N.D. Ga. 2013), aff'd, 592 F. App'x 757 (11th Cir. 2014)
- *Mays v. U.S. Postal Serv.*, 122 F.3d 43, 46 (11th Cir. 1997)
- *Gold Cross EMS, Inc. v. Children's Hosp. of Ala.*, 108 F. Supp. 3d 1376, 1379–80 (S.D. Ga. 2015)
- *Cover v. Wal-Mart Stores, Inc.*, 148 F.R.D. 294, 294 (M.D. Fla. 1993)
- *United States v. Battle*, 272 F. Supp. 2d 1354, 1358 (N.D. Ga. 2003)
- *Am. Home Assurance Co. v. Glenn Estess & Assocs., Inc.*, 763 F.2d 1237, 1239 (11th Cir. 1985)
- *Diamond Crystal Brands, Inc. v. Wallace*, 563 F. Supp. 2d 1349, 1352 (N.D. Ga. 2008)
- *Richards v. United States*, 67 F. Supp. 2d 1321, 1322 (M.D. Ala. 1999)
- *Fla. Ass'n of Rehab. Facilities, Inc. v. State of Fla. Dep't of Health & Rehab. Servs.*, 225 F.3d 1208, 1216 (11th Cir. 2000)
- *Brogdon v. Nat'l Healthcare Corp.*, 103 F. Supp. 2d 1322, 1338 (11th Cir. 2000)
- *Wilchombe v. TeeVee Toons, Inc.*, 555 F.3d 949, 957 (11th Cir. 2009)
- *Michael Linet, Inc. v. Vill. of Wellington*, 408 F.3d 757, 763 (11th Cir. 2005)
- *Stone v. Wall*, 135 F.3d 1438, 1442 (11th Cir. 1998)
- *Willis v. Royal Caribbean Cruises, LTD*, 77 F.4th 1332, 1336–37 (11th Cir. 2023)
- *Yusko v. NCL (Bah.), Ltd.*, 4 F.4th 1164, 1167–68, 1170 (11th Cir. 2021)
- *Roberts v. Phila. Express Tr. Hapag-Lloyd USA, LLC*, No. 24-10957, 2025 WL 671923, at *3 (11th Cir. Mar. 3, 2025) (per curiam)
- *Marabella v. NCL (Bah.), Ltd.*, 437 F. Supp. 3d 1221, 1229 (S.D. Fla. 2020)
- *Burgess v. Royal Caribbean Cruises, Ltd.*, No. 20-CV-20687, 2023 WL 4483597, at *3 (S.D. Fla. May 16, 2023)
- *D'Antonio v. Royal Caribbean Cruise Line, Ltd.*, 785 F. App'x 794, 797–98 (11th Cir. 2019)

- Pandya v. Marriott Hotel Servs., Inc., 552 F. Supp. 3d 1364, 1380 (N.D. Ga. 2021)
- Vicente v. United States, No. 3:14-CV-334-J-39JBT, 2015 WL 12684236, at *4 (M.D. Fla. Oct. 15, 2015)
- Mitchell v. Jones, No. 5:22-CV-60, 2024 WL 1056026, at *2 (S.D. Ga. Mar. 11, 2024)
- Jackson v. Virginia, 443 U.S. 307, 319 (1979)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986)

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