

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Norma Marcella, et al. v. Huntington Ingalls Inc., et al.

Marcella · No. 24-780 · Decided December 11, 2025

SUMMARY

The United States District Court for the Eastern District of Louisiana grants plaintiffs’ motion for partial summary judgment in an asbestos-exposure personal injury case. The court holds that Huntington Ingalls Incorporated, formerly Avondale, may not invoke Boyle government-contractor immunity or Yearsley derivative sovereign immunity against state-law claims based on alleged failure to warn employees about asbestos dangers or failure to prevent the spread of asbestos dust at the shipyard from 1962 to 1964. The ruling does not apply to dismissed para-occupational exposure claims.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Barry W. Ashe
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	December 11, 2025
DOCKET	24-780
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for partial summary judgment seeking dismissal of Huntington Ingalls Incorporated's Boyle government-contractor-immunity defense and Yearsley derivative-sovereign-immunity defense as applied to specified Louisiana state-law asbestos claims.
STANDARD OF REVIEW	Summary judgment is proper when the record shows no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The court must view evidence and draw reasonable inferences in favor of the nonmovant, may not weigh evidence or resolve credibility issues, and must grant summary judgment when the nonmovant cannot identify competent evidence supporting a trial-worthy dispute.
PRECEDENTIAL VALUE	unpublished district-court order; nonprecedential

PARTIES

Norma Marcella, Scott Marcella, Troy Marcella, Toni Hebert v.
Huntington Ingalls Incorporated

TOPICS

summary judgment

government contracts

personal injury

torts

civil procedure

PRACTICE AREAS

civil procedure

government contracts

torts

personal injury

federalism

QUESTIONS PRESENTED

1. Whether plaintiffs were entitled to partial summary judgment on Huntington Ingalls Incorporated's Boyle government-contractor-immunity defense as applied to state-law claims alleging failure to warn employees about asbestos dangers and failure to take precautions against the spread of asbestos dust.
2. Whether plaintiffs were entitled to partial summary judgment on Huntington Ingalls Incorporated's Yearsley derivative-sovereign-immunity defense as applied to the same specified state-law claims.
3. Whether the record established that no genuine dispute of material fact prevented summary judgment on those immunity defenses.

HOLDINGS

1. Huntington Ingalls Incorporated may not use the Boyle government-contractor-immunity defense or the Yearsley derivative-sovereign-immunity defense against plaintiffs' state-law claims alleging that it failed to warn employees of asbestos dangers and failed to take precautions to prevent asbestos dust from spreading at the Avondale shipyard during Marcella's employment and exposure from 1962 to 1964.
2. Summary judgment must be granted when, after adequate discovery, the record shows no genuine issue of material fact and the movant is entitled to judgment as a matter of law; conclusory or unsupported assertions do not create a genuine dispute.

KEY QUOTATIONS

“IT IS ORDERED that Plaintiffs’ motion for partial summary judgment (R. Doc. 107) is GRANTED, and Avondale is not permitted to use the Boyle and Yearsley government-immunity defenses against Plaintiffs’ state-law claims alleging that Avondale (1) failed to warn its employees of the dangers of asbestos and (2) failed to take precautions to prevent the spread of asbestos dust at the Avondale shipyard during the employment and exposure of Marcella from 1962 to 1964.” (Conclusion)

FACTUAL BACKGROUND

Ronald Marcella allegedly worked at Huntington Ingalls Incorporated's Avondale shipyard and was occupationally and environmentally exposed to asbestos during the 1960s and 1970s. He later developed asbestos-related mesothelioma and died on October 21, 2023. His widow and adult children asserted state-law claims alleging that Huntington Ingalls failed to warn Marcella and its employees about asbestos dangers and

failed to take precautions to prevent asbestos dust from spreading at the shipyard. The court's ruling was limited to alleged exposures during Marcella's employment at the shipyard from 1962 to 1964; para-occupational exposure claims involving nearby restaurants had been dismissed without prejudice.

PROCEDURAL HISTORY

Plaintiffs filed the personal-injury action in Louisiana state court against Huntington Ingalls Incorporated and other defendants. Huntington Ingalls removed the action to federal court under the federal-officer removal statute, 28 U.S.C. § 1442(a)(1), and asserted Boyle and Yearsley immunity defenses. The district court granted plaintiffs' motion for partial summary judgment as to those defenses and specified claims.

DISPOSITION

other

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 322-25 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-50 (1986)
- Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 586-87 (1986)
- EEOC v. Simbaki, Ltd., 767 F.3d 475, 481 (5th Cir. 2014)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 249-50 (1986)
- Little v. Liquid Air Corp., 37 F.3d 1069, 1075-76 (5th Cir. 1994)
- Hopper v. Frank, 16 F.3d 92, 97 (5th Cir. 1994)
- Delta & Pine Land Co. v. Nationwide Agribusiness Ins. Co., 530 F.3d 395, 398-99 (5th Cir. 2008)
- Tolan v. Cotton, 572 U.S. 650, 656-57 (2014)
- Daniels v. City of Arlington, 246 F.3d 500, 502 (5th Cir. 2001)
- Little v. Liquid Air Corp., 37 F.3d 1069, 1075 (5th Cir. 1994)
- Lujan v. National Wildlife Federation, 497 U.S. 871, 888 (1990)
- Lynch Properties, Inc. v. Potomac Insurance Co., 140 F.3d 622, 625 (5th Cir. 1998)
- LeBoeuf v. Huntington Ingalls, Inc., 2025 WL 744152, at *2-4 & n.12 (E.D. La. Mar. 7, 2025)
- Constanza v. Sparta Insurance Co., 2025 WL 3227783 (E.D. La. Nov. 19, 2025)
- Steib v. Huntington Ingalls, Inc., 2025 WL 2532696 (E.D. La. Sept. 3, 2025)