

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Dwayne Anthony Cook v. Christopher Hudson and Ingram
Industries, Inc.

Cook v. Hudson · No. No. 24-2916 · Decided December 9, 2025

SUMMARY

The United States District Court for the Eastern District of Louisiana grants defendants’ motion for summary judgment in a negligence action arising from a vehicle collision. The court holds that the plaintiff failed to submit or identify admissible evidence creating a genuine dispute that the collision was a cause-in-fact of his alleged injuries.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Sarah S. Vance
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	December 9, 2025
DOCKET	No. 24-2916
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for summary judgment in a removed diversity tort action, arguing that plaintiff could not produce competent evidence establishing that the vehicle collision was a cause-in-fact of his alleged injuries.
STANDARD OF REVIEW	Summary judgment is reviewed under Federal Rule of Civil Procedure 56. The court considers the record without weighing evidence or making credibility determinations, draws reasonable inferences for the nonmoving party, and determines whether a genuine dispute of material fact exists.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- summary judgment
- negligence
- proximate cause
- personal injury
- civil procedure

PRACTICE AREAS

civil procedure

negligence

personal injury

summary judgment

evidence

QUESTIONS PRESENTED

1. Whether defendants were entitled to summary judgment because Cook failed to submit or identify competent evidence creating a genuine dispute that the collision was a cause-in-fact of his injuries.
2. Whether granting summary judgment constituted an improper discovery sanction based on Cook's failure to make expert disclosures.

HOLDINGS

1. Defendants were entitled to summary judgment because Cook failed to submit or identify admissible, or potentially admissible, evidence establishing a genuine dispute of material fact as to whether the collision was a cause-in-fact of his injuries.
2. Granting summary judgment was not an expert-disclosure sanction because the decision rested on Cook's failure to submit or identify any material supporting causation, not merely on his failure to make expert disclosures.

KEY QUOTATIONS

“Summary judgment is warranted when “the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.””

“Because Cook has not established a genuine issue of material fact as to causation, Cook cannot bear the burden on an essential element of his claim. Thus, defendants are entitled to summary judgment as a matter of law.”

FACTUAL BACKGROUND

On August 31, 2024, Christopher Hudson was backing an Ingram Industries vehicle out of a private driveway within the scope of his employment when the vehicle contacted Dwayne Anthony Cook's vehicle. Cook alleged that the collision caused his injuries and sued Hudson and Ingram for negligence. In opposing summary judgment, Cook neither submitted nor identified record evidence supporting causation, instead relying on the pleadings and arguing about medical records that were not in the record.

PROCEDURAL HISTORY

Cook sued Hudson and Ingram in Louisiana state court for injuries allegedly arising from an August 31, 2024 vehicle collision. Defendants removed the action to the Eastern District of Louisiana on December 19, 2024, and later moved for summary judgment. The court granted the motion because Cook failed to submit or identify admissible or potentially admissible evidence creating a genuine dispute on causation.

DISPOSITION

other

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 322-23 (1986)
- Delta & Pine Land Co. v. Nationwide Agribusiness Insurance Co., 530 F.3d 395, 398-99 (5th Cir. 2008)
- Galindo v. Precision American Corp., 754 F.2d 1212, 1216 (5th Cir. 1985)
- EEOC v. Simbaki, Ltd., 767 F.3d 475, 481 (5th Cir. 2014)
- Campbell v. Orient-Express Hotels Louisiana, Inc., 403 So. 3d 573, 580 (La. 2025)
- Stelly v. Department of Public Safety & Corrections, 149 F.4th 516, 521 (5th Cir. 2025)
- Lindsey v. Sears Roebuck & Co., 16 F.3d 616, 618 (5th Cir. 1994)

OPINION

Dwayne Anthony Cook v. Christopher Hudson and Ingram Industries, Inc.

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

DWAYNE ANTHONY COOK CIVIL ACTION

VERSUS NO. 24-2916

CHRISTOPHER HUDSON AND SECTION “R”

INGRAM INDUSTRIES, INC.

ORDER AND REASONS

Before the Court is a summary judgment motion by defendants Christopher Hudson and Ingram Industries, Inc. (Ingram).¹ Plaintiff Dwayne Anthony Cook opposes the motion.² For the following reasons, the Court grants the motion.

I. BACKGROUND

The record establishes that the undisputed facts are as follows. On August 31, 2024, Hudson was backing out of a private driveway driving a vehicle for Ingram in the scope of his employment.³ Cook was driving down the street, and Hudson’s vehicle contacted Cook’s vehicle.⁴ Cook sued 1 R. Doc. 24. 2 R. Doc. 42. 3 R. Doc. 1-1, at 1. 4 Id. Hudson and Ingram for injuries allegedly arising from the collision in state court. The defendants removed to this Court on December 19, 2024.⁵ Defendants deposed plaintiff in May 2025.⁶ Plaintiff submitted neither an expert report under Fed. R. Civ. P. 26(a)(2)(B), nor summary disclosures of the opinions of his treating physicians under 26(a)(2)(C) before the expert report deadline of October 17, 2025. Defendants now move for summary judgment. The defendants allege that Cook cannot bear the burden of proving that the car collision was a cause-in-fact of Cook’s injuries.⁷ The Court considers the motion below.

II. LEGAL STANDARD

Summary judgment is warranted when “the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a); see also Celotex Corp. v. Catrett, 477 U.S. 317, 322-23 (1986). The Court considers the evidence

in the record without making credibility determinations or weighing the evidence. *Delta & Pine Land Co. v. Nationwide Agribusiness Ins.*, 530 F.3d 395, 398-99 (5th Cir. 2008). All reasonable inferences are drawn in favor of 5 Id. 6 R. Doc. 26-2, at 1. 7 R. Doc. 24-1, at 4. the nonmoving party. *Galindo v. Precision Am. Corp.*, 754 F.2d 1212, 1216 (5th Cir. 1985). If the record could not lead a rational trier of fact to find for the nonmoving party, there is no genuine dispute of material fact. *EEOC v. Simbaki, Ltd.*, 767 F.3d 475, 481 (5th Cir. 2014). If the dispositive issue is one on which the nonmoving party will bear the burden of proof at trial, the moving party may satisfy its burden by pointing out that the evidence in the record is insufficient with respect to an essential element of the nonmoving party's claim. See *Celotex*, 477 U.S. at 325. The burden then shifts to the nonmoving party, who must, by submitting or referring to material admissible in evidence or capable of being made admissible, set out specific facts showing that a genuine issue exists. See *id.* at 324; Fed. R. Civ. P. 56(c)(1)(A), (c)(2)(B). The nonmovant may not rest upon the pleadings but must identify specific facts that establish a genuine issue for resolution. See, e.g., *id.*

III. DISCUSSION

Plaintiff sued defendants for negligence. To establish an action for negligence under Louisiana law, Cook must prove five elements by a preponderance of the evidence: 1) the defendant had a duty to conform conduct to a specific standard; 2) the defendant's conduct failed to conform to that standard; 3) the defendant's conduct was a cause-in-fact of the injury; 4) the defendant's conduct was a legal cause of the injury; and 5) proof of damages. *Campbell v. Orient-Express Hotels Louisiana, Inc.*, 403 So. 3d 573, 580 (La. 2025). As plaintiff must prove all five elements, the failure of any one element legally entitles defendants to summary judgment. Here, defendants contest that the car crash was a cause-in-fact of Cook's injuries.⁸ Defendants contend that plaintiff has not and cannot point to any competent summary judgment material that the car crash was the cause-in-fact of Cook's injuries.⁹ The causation element is one on which Cook would bear the burden of proof at trial. Thus, defendants satisfied their burden by pointing out that the material in the record on causation is insufficient. See *Celotex*, 477 U.S. at 325; Fed. R. Civ. P. 56(c)(1)(B). The burden shifts to Cook, who must, by submitting or referring to material admissible as evidence or capable of being made admissible, set out specific facts showing that a genuine issue exists as to causation. See *Celotex*, 477 U.S. at 324; see also *Stelly v. Dep't of Pub. Safety & Corr.* 149 F.4th 516, 521 (5th Cir. 2025) ("The non-movant cannot satisfy this burden merely by denying the allegations in the opponent's 8 R. Doc. 24-1, at 1. 9 Id. pleadings but can do so by tendering depositions, affidavits, and other competent evidence to buttress its claim.") (quoting *Lindsey v. Sears Roebuck & Co.*, 16 F.3d 616, 618 (5th Cir. 1994)). Cook has not borne his burden. Cook's opposition to the motion for summary judgment neither submits nor points to any material in the record on the issue of causation.¹⁰ Cook has not tendered depositions, affidavits, or any other material to buttress his causation claim. See *Stelly*, 149 F.4th at 521. Instead, Cook has rested on the pleadings while arguing about the meaning of medical records not in the record before the Court. This does not establish a genuine issue of material fact as to causation. See, e.g., *Celotex*,

477 U.S. at 324; Stelly, 49 F.4th at 521. Further, Cook has not moved for the Court to defer consideration of the motion on the ground that Cook cannot yet present facts essential to justify its opposition. Fed. R. Civ. P. 56(d)(1), (2).

Cook argues that to grant a motion for summary judgment here is an inappropriate discovery sanction for plaintiff's failure to make expert disclosures.¹¹ The lack of expert disclosures is not the basis for the Court's order. Instead, the Court looks to Cook's failure to submit or point to 10 R. Doc. 42. 11 R. Doc. 42, at 4. material capable of being made admissible on the issue of causation and the lack of any such material in the record. Because Cook has not established a genuine issue of material fact as to causation, Cook cannot bear the burden on an essential element of his claim. Thus, defendants are entitled to summary judgment as a matter of law.

IV. CONCLUSION

For the foregoing reasons, the Court GRANTS defendants' motion for summary judgment. New Orleans, Louisiana, this__9th__ day of December, 2025. "fern h "Voreer

SARAH S. VANCE

UNITED STATES DISTRICT JUDGE