

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
OKLAHOMA

Aldin Lewis v. Wilayat Hussain, et al.

Lewis · No. CIV-24-1112-PRW · Decided March 11, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma partially grants and partially denies defendants’ motion for summary judgment arising from a tractor-trailer collision. The court denies summary judgment on proximate cause, negligence per se, and negligent entrustment, but grants judgment on the plaintiff’s negligent hiring, training, and retention claims based on Oklahoma law. The court also denies the plaintiff’s motion to strike.

CASE DETAILS

|                    |                                                                                                                                                                                                                                                                                                                                         |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Western District of Oklahoma                                                                                                                                                                                                                                                                       |
| JURISDICTION       | United States District Court for the Western District of Oklahoma                                                                                                                                                                                                                                                                       |
| DECIDED            | March 11, 2026                                                                                                                                                                                                                                                                                                                          |
| DOCKET             | CIV-24-1112-PRW                                                                                                                                                                                                                                                                                                                         |
| DISPOSITION        | other                                                                                                                                                                                                                                                                                                                                   |
| PROCEDURAL POSTURE | Plaintiff brought negligence, negligence per se, vicarious liability, negligent entrustment, negligent hiring, negligent training, and negligent retention claims arising from a motor-vehicle collision. Defendants moved for summary judgment, and Plaintiff moved to strike portions of that motion.                                 |
| STANDARD OF REVIEW | Summary judgment is proper when the movant shows that no genuine dispute exists as to any material fact and that the movant is entitled to judgment as a matter of law. The court views facts and reasonable inferences in the light most favorable to the nonmovant and considers evidence capable of presentation in admissible form. |
| PRECEDENTIAL VALUE | unknown                                                                                                                                                                                                                                                                                                                                 |
| PARTIES            | Aldin Lewis v. Wilayat Hussain, Chandi 209 Trucking, Inc.                                                                                                                                                                                                                                                                               |

TOPICS

- summary judgment
- negligence
- proximate cause
- pleadings

## PRACTICE AREAS

torts

civil procedure

evidence

## QUESTIONS PRESENTED

1. Whether a genuine dispute of material fact existed regarding proximate cause and whether Lewis's failure to stop was a superseding cause of the collision.
2. Whether Defendants could obtain summary judgment on the negligence per se claim based on the Petition's failure to identify the allegedly violated statute.
3. Whether Chandi 209 Trucking was entitled to summary judgment on the negligent hiring, training, and retention claims because it stipulated that Hussain acted within the scope of employment.
4. Whether Chandi 209 Trucking was entitled to summary judgment on the negligent entrustment claim for lack of evidence that it knew or should have known Hussain was an incompetent or careless driver.
5. Whether portions of Defendants' summary-judgment motion should be stricken as exceeding the scope of leave to file the motion.

## HOLDINGS

1. Summary judgment was inappropriate because evidence concerning nighttime visibility, the truck's orientation and visibility markings, possible obstructions, and Lewis's opportunity to perceive the truck created a genuine dispute regarding whether Lewis's conduct was a superseding cause of the collision.
2. Summary judgment was denied because a motion for summary judgment is not the proper vehicle for raising a pleading-sufficiency challenge, and the court would not convert the motion into a motion to dismiss.
3. Chandi 209 Trucking was entitled to judgment as a matter of law on the negligent hiring, training, and retention claims because it stipulated that Hussain acted within the scope of employment and any liability would be governed by respondeat superior.
4. Summary judgment was denied because the record presented a genuine dispute as to whether Chandi 209 Trucking knew or should have known that Hussain was an incompetent or careless driver.
5. The motion to strike was denied because neither the court's order nor Defendants' motion expressly limited the summary-judgment motion to the negligence claim.

## KEY QUOTATIONS

*"The foregoing evidence establishes a genuine issue of material fact that is best left in the hands of the jury."*

(Discussion I)

*"Accordingly, Defendants are entitled to judgment as a matter of law on Plaintiff's direct liability against Chandi (except for negligent entrustment)."* (Discussion III)

*"The Court comes to the same conclusion here and holds that Plaintiff's negligent entrustment claim should not be dismissed."* (Discussion IV)

## FACTUAL BACKGROUND

On March 3, 2024, Aldin Lewis collided with the left rear side of a tractor-trailer operated by Wilayat Hussain while the truck was turning right onto an active roadway. The parties disputed whether Hussain had failed to stop at a stop sign and whether Lewis could reasonably have perceived and avoided the truck under the nighttime conditions. Lewis alleged negligence and negligence per se against Hussain and asserted vicarious liability and direct-negligence theories against Chandi 209 Trucking, including negligent entrustment, hiring, training, and retention.

## PROCEDURAL HISTORY

Defendants Wilayat Hussain and Chandi 209 Trucking, Inc. moved for summary judgment. Plaintiff opposed the motion and separately moved to strike sections of it. The court granted summary judgment in part, denied it in part, and denied the motion to strike.

## DISPOSITION

other

## CASES CITED

- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-50, 255-56 (1986)
- Trainor v. Apollo Metal Specialties, Inc., 318 F.3d 976, 979 (10th Cir. 2003)
- Brown v. Perez, 835 F.3d 1223, 1232 (10th Cir. 2016)
- Trevizo v. Adams, 455 F.3d 1155, 1160 (10th Cir. 2006)
- Dirickson v. Mings, 910 P.2d 1015, 1017-18, 1020 (Okla. 1996)
- Thur v. Dunkley, 474 P.2d 403, 405 (Okla. 1970)
- Fargo v. Hay-Kuehn, 352 P.3d 1223, 1227 (Okla. 2015)
- Thompson v. Presbyterian Hospital, Inc., 652 P.2d 260, 263-64 (Okla. 1982)
- Estate of Ratley v. Awad, No. 23-6169, 2025 WL 1166454, at \*4 (10th Cir. Apr. 22, 2025)
- McGee v. El Patio, LLC, 524 P.3d 1283, 1286 (Okla. 2023)
- Ríos-Campbell v. U.S. Department of Commerce, 927 F.3d 21, 24-26 (1st Cir. 2019)
- Jones v. L.A. Central Plaza LLC, 74 F.4th 1053, 1059 (9th Cir. 2023)
- Lugo v. City of Troy, 114 F.4th 80, 89-90 (2d Cir. 2024)
- Pace v. Swerdlow, 519 F.3d 1067, 1076 (10th Cir. 2008) (Gorsuch, J., concurring)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 557 (2007)
- Jordan v. Cates, 935 P.2d 289, 293-94 (Okla. 1997)
- Estate of Ratley by and through Ratley v. Awad, No. CV-19-00265-PRW, 2021 WL 1845497, at \*4-5 (W.D. Okla. May 7, 2021), *aff'd*, No. 23-6169, 2025 WL 1166454 (10th Cir. Apr. 22, 2025)
- Stalnaker v. Three Bros. Transport, LLC, Case No. 20-CV-140-JWB-CDL, Dkt. 30 (Jan. 31, 2022)
- Sheffer v. Carolina Forge Co., 306 P.3d 544, 548 (Okla. 2013)

- Green v. Harris, 70 P.3d 866, 871 (Okla. 2003)
- Loyd v. Salazar, No. CIV-17-977-D, 2020 WL 7220790, at \*4 (W.D. Okla. Dec. 7, 2020)

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