

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

**Wanda Smith, individually and as Administratrix of the Estate of
Thomas P. Smith, Jr., Deceased v. Steffon Deondrick Silver, Signature
Companies, American Stair & Cabinetry, Inc., and The Laminate
Company**

Smith v. Silver · No. C.A. No. 25-335-SRF · Decided January 23, 2026

SUMMARY

The court denied without prejudice the defendants’ motion for partial dismissal of wrongful-death and survival claims against The Laminate Company. Applying the standard for judgment on the pleadings under Federal Rule of Civil Procedure 12(c), the court found a factual dispute concerning whether The Laminate Company was the same entity as Laminate Co., Inc., the employer identified in a workers’ compensation settlement. The court also declined to consider a release argument raised for the first time in the defendants’ reply brief.

CASE DETAILS

COURT	United States District Court for the District of Delaware
JURISDICTION	United States District Court for the District of Delaware
DECIDED	January 23, 2026
DOCKET	C.A. No. 25-335-SRF
DISPOSITION	denied
PROCEDURAL POSTURE	Defendants moved for partial dismissal of the wrongful-death and survival claims against The Laminate Company based on workers' compensation exclusivity. Because the motion relied on materials attached to the answer, the court treated it as a motion for judgment on the pleadings under Federal Rule of Civil Procedure 12(c).
STANDARD OF REVIEW	A Rule 12(c) motion is analyzed under the same standards as a Rule 12(b)(6) motion. Judgment on the pleadings is improper unless the movant clearly establishes that no material issue of fact remains and that it is entitled to judgment as a matter of law. The court views the facts and reasonable inferences in the pleadings in the light most favorable to the nonmoving party.
PRECEDENTIAL VALUE	Unknown

PARTIES

Steffon Deondrick Silver, Signature Companies, American Stair & Cabinetry, Inc., The Laminate Company v. Wanda Smith, individually and as Administratrix of the Estate of Thomas P. Smith, Jr., Deceased

TOPICS

motion for judgment on the pleadings

workers compensation

wrongful death

civil procedure

PRACTICE AREAS

civil procedure

workers compensation

torts

QUESTIONS PRESENTED

1. Whether the workers' compensation settlement and exclusivity defense established, on the pleadings, that The Laminate Company was the same entity as Laminate Co., Inc. and therefore barred the claims against The Laminate Company.
2. Whether defendants' argument that the workers' compensation settlement released The Laminate Company could be considered when raised for the first time in a reply brief.

HOLDINGS

1. Judgment on the pleadings could not be granted because a material factual dispute existed concerning whether The Laminate Company and Laminate Co., Inc. were the same entity or otherwise related, and that issue could not be resolved at the motion-to-dismiss stage.
2. The court would not consider defendants' argument that the settlement agreement released The Laminate Company because the argument was raised for the first time in the reply brief and deprived plaintiff of an opportunity to respond.

KEY QUOTATIONS

“The movant will not prevail unless it is clearly established that “no material issue of fact remains to be resolved and that [the movant] is entitled to judgment as a matter of law.”” (Section II)

“Therefore, a dispute of fact exists with respect to the correct identity of the Decedent’s employer that cannot be resolved at the motion to dismiss stage.” (Section III)

“The law in this district is clear that arguments raised for the first time in a reply brief are improper and will not be considered.” (Section III)

FACTUAL BACKGROUND

Thomas P. Smith, Jr. died from injuries suffered as a passenger in a motor vehicle accident in Delaware on April 26, 2023. The vehicle was operated by defendant Steffon Deondrick Silver and collided with a vehicle operated by third-party defendant Alie Conteh; the complaint alleged that Silver was acting within the course and scope of employment for one or more defendants. Plaintiff pursued Maryland workers' compensation benefits and entered

a settlement identifying Laminate Co., Inc. as the employer, while the civil complaint named The Laminate Company as a defendant.

PROCEDURAL HISTORY

Plaintiff filed the action on March 8, 2025. Defendants answered on May 22, 2025, asserting workers' compensation exclusivity as an affirmative defense, and moved for partial dismissal on October 20, 2025. The court denied the motion without prejudice because the pleadings and record did not resolve whether Laminate Co., Inc., identified in the workers' compensation settlement agreement, was the same entity as The Laminate Company, and because defendants raised a release argument for the first time in their reply brief.

DISPOSITION

denied

CASES CITED

- Jablonski v. Pan Am. World Airways, Inc., 863 F.2d 289, 290-91 (3d Cir. 1988)
- Rosenau v. Unifund Corp., 539 F.3d 218, 221 (3d Cir. 2008)
- Venetec Int'l, Inc. v. Nexus Med., LLC, 541 F. Supp. 2d 612, 617 (D. Del. 2008)
- Bedoya v. Am. Eagle Express, Inc., 914 F.3d 812, 816 n.2 (3d Cir. 2019)
- In re Niaspan Antitrust Litig., 67 F.4th 118, 135 (3d Cir. 2023)