

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Richard Hotard v. Taylor-Seidenbach, Inc., et al.

Hotard · No. 2:25-cv-00922 · Decided June 16, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana denied Eaton Corporation’s motion for summary judgment in an asbestos-exposure and mesothelioma action. The court held that competing evidence regarding the identification of Eaton and Cutler-Hammer products, asbestos exposure, and substantial-factor causation created genuine disputes of material fact. The claims asserted by the decedent’s heirs and Avondale were therefore left for resolution at trial.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Grieg Gerard Guidry
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	June 16, 2026
DOCKET	2:25-cv-00922
DISPOSITION	other
PROCEDURAL POSTURE	Defendant Eaton Corporation moved for summary judgment seeking dismissal of asbestos-related claims brought by the substituted heirs of Richard Hotard and contribution claims brought by crossclaimant Huntington Ingalls Incorporated. The court denied the motion.
STANDARD OF REVIEW	Summary judgment is proper when the record shows no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court viewed the evidence in the light most favorable to the nonmoving parties, drew justifiable inferences in their favor, and did not weigh competing evidence or make credibility determinations.
PRECEDENTIAL VALUE	unpublished district court order; persuasive value only

TOPICS

- summary judgment
- products liability
- civil procedure
- personal injury
- evidence

PRACTICE AREAS

civil procedure

products liability

personal injury

evidence

QUESTIONS PRESENTED

1. Whether summary judgment was proper on the issue of whether Hotard was exposed to asbestos-containing Eaton or Cutler-Hammer products.
2. Whether summary judgment was proper on the issue of whether exposure to asbestos from Eaton or Cutler-Hammer products was a substantial factor in causing Hotard's mesothelioma.
3. Whether the court could consider Eaton's prior corporate deposition testimony at the summary-judgment stage despite Eaton's hearsay and relevance objections.

HOLDINGS

1. Summary judgment was inappropriate because the testimony and other record evidence created genuine disputes of material fact concerning whether Hotard encountered asbestos-containing Eaton or Cutler-Hammer products.
2. Summary judgment was inappropriate because genuine disputes of material fact remained regarding whether exposure to asbestos-containing Eaton or Cutler-Hammer products was a substantial factor in causing Hotard's mesothelioma.
3. The court could consider the cited corporate deposition testimony at the summary-judgment stage because the material could be presented in admissible form at trial and there was a plausible basis for admission as a statement of a party opponent.

KEY QUOTATIONS

“Whether those exposures occurred through asbestos-containing Eaton or Cutler-Hammer products, and whether such exposures were a substantial contributing factor in causing Mr. Hotard’s illness, are questions appropriately resolved by the trier of fact on the present record.” (at 9)

“Because genuine disputes of material fact remain regarding whether Mr. Hotard was exposed to asbestos-containing Eaton or Cutler-Hammer products and whether any such exposure was a substantial factor in causing his mesothelioma, Eaton has not demonstrated that it is entitled to summary judgment.” (at 9)

FACTUAL BACKGROUND

Richard Hotard worked at Avondale Shipyards in 1965 and from 1970 to 1973, and later worked as an automotive mechanic. He testified that he performed brake and clutch work involving grinding, sanding, and compressed-air cleaning that created visible dust he inhaled, and that he used Eaton and Cutler-Hammer products. He was diagnosed with mesothelioma around February 2025 and died in June 2025. The parties submitted conflicting evidence concerning whether Eaton or Cutler-Hammer manufactured the products Hotard identified and whether any asbestos exposure from those products substantially contributed to his illness.

PROCEDURAL HISTORY

Plaintiff filed an asbestos-exposure action in the Civil District Court for the Parish of Orleans against Avondale and other defendants, including Eaton. Avondale removed the action to the Eastern District of Louisiana under federal officer jurisdiction. After Richard Hotard died, his heirs were substituted and filed a Third Amended Complaint asserting wrongful-death and survival claims. Eaton moved for summary judgment, which the court denied because genuine disputes of material fact remained regarding product identification, asbestos exposure, and substantial-factor causation.

DISPOSITION

other

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 322-24 (1986)
- Voekel McWilliams Const., LLC v. 84 Lumber Co., 2015 WL 1184148, at *5 (E.D. La. Mar. 13, 2015)
- Beck v. Somerset Techs., Inc., 882 F.2d 993, 996 (5th Cir. 1989)
- Delta & Pine Land Co. v. Nationwide Agribusiness Ins. Co., 530 F.3d 395, 398-99 (5th Cir. 2008)
- Reeves v. Sanderson Plumbing Prods., Inc., 530 U.S. 133, 150 (2000)
- Darden v. City of Fort Worth, Texas, 880 F.3d 722, 727 (5th Cir. 2018)
- City & Cnty. of San Francisco, Calif. v. Sheehan, 575 U.S. 600, 603 (2015)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986)
- Galindo v. Precision Am. Corp., 754 F.2d 1212, 1216 (5th Cir. 1985)
- Little v. Liquid Air Corp., 37 F.3d 1069, 1075 (5th Cir. 1994)
- Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 586 (1986)
- Davis v. Chevron U.S.A., Inc., 14 F.3d 1082, 1086 (5th Cir. 1994)
- Lujan v. Nat'l Wildlife Fed'n, 497 U.S. 871, 888 (1990)
- Armstrong v. City of Dallas, 997 F.2d 62, 67 (5th Cir. 1993)
- Abadie v. Metro. Life Ins. Co., 784 So. 2d 46, 89-90 (La. App. 5 Cir. 2001)
- Rando v. Anco Insulations, Inc., 16 So. 3d 1065, 1088-89 (La. 2009)
- Williams v. Huntington Ingalls Indus., No. CV 19-1218, 2022 WL 425050, at *2 (E.D. La. Feb. 11, 2022)
- Williams v. Taylor Seidenbach, Inc., 849 F. App'x 440, 444-45 (5th Cir. 2021)
- Lee v. Offshore Logistical and Transp., L.L.C., 859 F.3d 353, 355 (5th Cir. 2017)
- Borel v. Fibreboard Paper Prods. Corp., 493 F.2d 1076, 1094 (5th Cir. 1973), cert. denied, 419 U.S. 869 (1974)

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