

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Daniel Cantrelle, Sr. v. Huntington Ingalls, Inc., et al.

Cantrelle · No. 24-2102 · Decided June 12, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana addresses cross-motions in limine concerning the admissibility of Daniel Cantrelle, Sr.'s affidavit in an asbestos-exposure action. The court discusses hearsay, opposing-party statements, and whether Cantrelle had sufficient cognitive capacity to author or adopt the affidavit. Both motions were denied without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	June 12, 2026
DOCKET	24-2102
DISPOSITION	other
PROCEDURAL POSTURE	The parties filed cross-motions in limine concerning the admissibility of an affidavit executed by Daniel Cantrelle, Sr. shortly before his death. Plaintiffs sought to establish admissibility, while specified defendants sought to exclude the affidavit.
STANDARD OF REVIEW	The court evaluated the affidavit's admissibility under the Federal Rules of Evidence and considered whether plaintiffs established that the affidavit qualified as a statement attributable to Cantrelle.
PRECEDENTIAL VALUE	unpublished
PARTIES	Daniel Cantrelle, Jr., Dana Cantrelle, Kelly Cantrelle, Monica Koeppel, Paul Cantrelle, Shelley Cantrelle, Zachary Cantrelle, Daniel Cantrelle, Sr., deceased v. Huntington Ingalls, Inc., Foster Wheeler LLC, General Electric Company operating as GE Aerospace, Paramount Global, f/k/a ViacomCBS Inc., f/k/a CBS Corporation, f/k/a Viacom Inc., successor by merger to CBS Corporation, f/k/a Westinghouse Electric Corporation, Liberty Mutual Insurance Company, Albert Arendt Hopeman, Jr., Bertram C. Hopeman, Charles N. Johnson, Jr., Kenneth Wood, Wayne Manufacturing Corp.

TOPICS

motion in limine hearsay evidence expert testimony civil procedure

PRACTICE AREAS

evidence civil procedure torts

QUESTIONS PRESENTED

1. Whether plaintiffs could invoke Federal Rule of Evidence 801(d)(2)(A) to admit Cantrelle's affidavit as an opposing-party statement when plaintiffs themselves offered the affidavit.
2. Whether plaintiffs established that the affidavit was Cantrelle's statement under Federal Rule of Evidence 801, given evidence of his severe cognitive impairment when it was executed.
3. Whether the affidavit should be admitted or excluded through the parties' cross-motions in limine.

HOLDINGS

1. Plaintiffs could not invoke the opposing-party-statement provision of Rule 801(d)(2)(A) to admit an affidavit offered by plaintiffs themselves; the rule applies when a statement is offered against the opposing party, not when the party offers its own statement.
2. Plaintiffs did not establish that the affidavit was Cantrelle's statement because the evidence raised serious questions about his mental capacity to author, adopt, or assent to its assertions, and plaintiffs did not provide evidence explaining who authored the affidavit or how its information was obtained.

KEY QUOTATIONS

“Rule 801(d)(2) does not apply to a statement made by a party and offered by that same party.” (4)

“Plaintiffs have not established that the affidavit was Mr. Cantrelle’s “statement.”” (5-6)

FACTUAL BACKGROUND

Daniel Cantrelle, Sr. worked at Avondale Shipyard during periods from 1960 through 2004 and alleged exposure to asbestos. He was diagnosed with mesothelioma in June 2024, entered hospice care, and died on July 26, 2024. Two days before his death, he executed an affidavit describing his work and alleged asbestos exposure, but hospice records documented severe confusion, disorientation, and inability to answer questions on the date of execution. Defense counsel had no opportunity to cross-examine Cantrelle about the affidavit or his exposure allegations.

PROCEDURAL HISTORY

Cantrelle filed a personal-injury damages action in state court after being diagnosed with mesothelioma. Huntington Ingalls removed the case to federal court under federal-officer removal jurisdiction. After Cantrelle died, his successors continued the litigation, and the district court considered the cross-motions in limine on the briefs before trial.

DISPOSITION

other

CASES CITED

- Dempster v. Lamorak Ins. Co., 488 F. Supp. 3d 499, 507 (E.D. La. 2020)
- Bourjaily v. United States, 483 U.S. 171, 175 (1987)

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