

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

September 24, 2021

Lyle W. Cayce
Clerk

No. 21-30198

DANIEL KENNEDY; BRANDI SMITH,

Plaintiffs—Appellants,

versus

BRASKEM AMERICA, INCORPORATED; LINDE ENGINEERING
NORTH AMERICA, INCORPORATED,

Defendants—Appellees.

Appeal from the United States District Court
for the Eastern District of Louisiana
2:18-CV-12084

Before KING, COSTA, and HO, *Circuit Judges.*

PER CURIAM:*

On December 2, 2017, plaintiff Daniel Kennedy sustained injuries while working as a foreman for his employer, Cajun Deep Foundation, which had been subcontracted by LINDE Engineering North America, Inc. (“LENA”) to install auger cast in place piles on a construction site owned by

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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Braskem America, Inc. (“Braskem”). As a result of those injuries, Kennedy filed a personal injury lawsuit against property owner Braskem and general contractor LENA, alleging that his injuries were caused by their negligence. The district court granted defendants’ motions to dismiss and this appeal followed.

We have reviewed the briefs, applicable law, and relevant parts of the record. The district court conducted a careful and thorough analysis of the relevant legal issues and we find no reversible error.

Accordingly, the judgment is affirmed.