

VIRGINIA:
IN THE CIRCUIT COURT FOR THE CITY OF NORFOLK

**KENT OAKEY, Administrator of the Estate of
KENNETH OAKEY, deceased,**

Plaintiff,

v.

**Civil Action No. _____
TRIAL BY JURY IS DEMANDED**

COLONNA'S SHIP YARD, INCORPORATED
Serve: Randall A. Crutchfield, Registered Agent
400 E. Indian River Road
Norfolk, Virginia 23523

Defendant.

COMPLAINT

COMES NOW Plaintiff Kent Oakey, Administrator of the Estate of Kenneth Oakey, deceased, who respectfully moves this Honorable Court for judgment against Defendant Colonna's Ship Yard, Incorporated, jointly and severally, in the sum of FORTY FIVE MILLION DOLLARS (\$45,000,000.00) in compensatory damages; the cost of this action; pre-judgment interest from September 30, 2023; post-judgment interest; and for such other relief this Court deems just and proper.

PARTIES

1. Plaintiff Kent Oakey ("Plaintiff Oakey") is an adult resident of the Commonwealth of Virginia.
2. On December 7, 2023, the Clerk of the Norfolk Circuit Court qualified Plaintiff Kent Oakey as Administrator of Kenneth Oakey's estate for the purposes of prosecution of a

civil action for wrongful death. Kenneth Oakey, deceased. ("Decedent Oakey" or "Decedent") was a resident of Virginia at the time of his death.

3. Defendant Colonna's Ship Yard, Incorporated ("Defendant Colonna's") is a Virginia stock corporation with a principal place of business in Norfolk, Virginia.

FACTUAL ALLEGATIONS

4. In the summer of 2023, Defendant Colonna's hired Decedent Oakey as a maintenance mechanic primarily repairing vehicles in Colonna's fleet.

5. Decedent Oakey was not employed by Colonna's to provide services as a ship repairman, shipbuilder, or shipbreaker.

6. At some time prior to the early morning of Saturday, September 30, 2023, Defendant Colonna's, by and through its agents or employees, called Decedent Oakey and requested his presence at the Shipyard.

7. On Saturday, September 30, 2023, at or about 6:40 a.m., Decedent Oakey arrived at the Shipyard.

8. On the morning of September 30, 2023, the Shipyard was equipped with surveillance cameras throughout the property which were owned, operated, and maintained by Defendant Colonna's.

9. Defendant Colonna's surveillance cameras depict Decedent Oakey upon their property after his arrival on the morning of September 30, 2023.

10. Surveillance video of the forthcoming events that result in the death of Decedent Oakey are, reportedly, and inexplicably, no longer exist.

11. Upon arrival or soon thereafter, Decedent Oakey was instructed to embark on a wet-docked barge ("Subject Vessel").

12. Defendant Colonna's was the owner *pro hac vice* of the Subject Vessel.
13. At some time before 7:30 a.m., Decedent was caused to fall by a condition or event occurring upon the Subject Vessel and suffered traumatic injuries to his back, torso, and head including multiple rib fractures, compression fractures to his lumbar and thoracic level vertebrae, fracture of his skull, a subarachnoid hemorrhage, subdural hematoma.
14. At and around the time of the incident resulting in Decedent's injuries, Decedent was lawfully on board the Subject Vessel.
15. As a result of the injuries sustained on September 30, 2023, Decedent died on October 14, 2023.

COUNT I
NEGLIGENCE OF VESSEL
33 USCS § 905(b)

16. Plaintiff adopts and incorporates all previous paragraphs of this Complaint as if fully set forth herein.
17. Defendant Colonna's, as the owner *pro hac vice* of the Subject Vessel, owed a duty to exercise ordinary care under the circumstances to turn over the vessel and its equipment and appliances in such condition that an expert and experienced stevedoring contractor will be able to carry on cargo operations with reasonable safety.
18. Defendant Colonna's negligently breached its duties by turning over the vessel and its equipment and appliances in an unreasonable dangerous condition under the circumstances.
19. Defendant Colonna's having actively involved themselves in the Subject Vessel's operations, owed a duty to exercise due care to avoid exposing Decedent to hazards he may have encountered in areas, or from equipment, under Defendant's active control.

20. Defendant negligently breached its duties by failing to exercise due care in operations.
21. Defendant Colonna's, having acquired actual knowledge that a condition on the vessel or its equipment posed an unreasonable risk of harm to Decedent, owed a duty to intervene.
22. Defendants negligently breached its duties by failing to intervene in the operations despite their knowledge of a condition on the vessel or its equipment, which posed an unreasonable risk of harm to Decedent.
23. Defendant's negligence was a direct and proximate result of Decedent's injuries entitling him to the recovery of his pain and suffering; bodily injuries; physical pain and mental anguish; disfigurement and deformity coupled with associated humiliation and embarrassment; inconvenience; and other remedies provided at law.
24. Defendant's negligence was a direct and proximate result of Decedent's death entitling his beneficiaries to recover for their sorrow, mental anguish, and solace which may include society, companionship, comfort, guidance, kindly offices and advice; reasonably expected loss of Decedent's income; reasonably expected services, protection, care, and assistance; expenses for the care, treatment, and hospitalization of Decedent Oakey; reasonable funeral expenses; and other damages allowable at law.

COUNT II GENERAL MARITIME NEGLIGENCE

25. Plaintiff adopts and incorporates all previous paragraphs of this Complaint as if fully set forth herein.
26. Defendant Colonna's owed a duty of exercising reasonable care towards those lawfully aboard the Subject Vessel.
27. Defendant Colonna's negligently breached its duty to Decedent under the relevant circumstances.

28. Defendant Colonna's breach included its inadequate crew upon the Subject Vessel in number and experience; creation or maintenance of an unreasonably dangerous condition thereupon; and other breaches to be later discovered.
29. Defendant's negligence was a direct and proximate result of Decedent's injuries entitling him to the recovery of his pain and suffering; bodily injuries; physical pain and mental anguish; disfigurement and deformity coupled with associated humiliation and embarrassment; inconvenience; and other remedies provided at law.
30. Defendant's negligence was a direct and proximate result of Decedent's death entitling his beneficiaries to recover for their sorrow, mental anguish, and solace which may include society, companionship, comfort, guidance, kindly offices and advice; reasonably expected loss of Decedent's income; reasonably expected services, protection, care, and assistance; expenses for the care, treatment, and hospitalization of Decedent Oakey; reasonable funeral expenses; and other damages allowable at law.

WHEREFORE, for the foregoing reasons, Plaintiff Kent Oakey, Administrator of the Estate of Kenneth Oakey, deceased, respectfully prays for relief against Defendant Colonna's Ship Yard, Incorporated, jointly and severally, in the sum of FORTY FIVE MILLION DOLLARS (\$45,000,000.00) in compensatory damages; the cost of this action; pre-judgment interest from September 30, 2023; post-judgment interest; and for such other relief this Court deems just and proper.

TRIAL BY JURY DEMANDED

Plaintiff demands a jury trial on all issues in this case.

Respectfully yours,
KENT OAKEY, Administrator of the Estate of
KENNETH OAKEY, deceased, Plaintiff

Dated: September 29, 2025



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