



In the Matter of:

DEVENDRA GUMMALA,

ARB CASE NO. 2018-0053

COMPLAINANT,

ALJ CASE NO. 2015-SPA-00001

v.

DATE: June 4, 2020

CARNIVAL CORPORATION,

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

Appearances:

For the Complainant:

Devendra Gummala; *Pro se*; Maipu, Santiago, Chile

For the Respondent:

Brooke T. Iley, *Esq.*; *Blank Rome LLP*; Washington, District of Columbia

Before: Thomas H. Burrell, *Acting Chief Administrative Appeals Judge*, and Heather C. Leslie and James D. McGinley, *Administrative Appeals Judges*

ORDER DENYING RECONSIDERATION

On April 20, 2020, the Administrative Review Board (ARB or Board) issued a Decision and Order affirming an Administrative Law Judge's (ALJ's) decision concluding that Carnival Cruise Lines is not a stand-alone entity and that Carnival Corporation is not covered under the Seaman's Protection Act, 46 U.S.C. § 2114 (SPA or the Act) (2010). *Gummala v. Carnival Corp.*, ARB 2018-0053, ALJ No. 2015-SPA-00001 (ARB Apr. 20, 2020). In his motion for reconsideration, Gummala

argues assignments of error that the ARB considered and denied when the matter was before the ARB. The ARB generally applies a four-part test to determine whether the movant has demonstrated:

(i) material differences in fact or law from that presented to the [ARB] of which the moving party could not have known through reasonable diligence, (ii) new material facts that occurred after the [ARB]'s decision, (iii) a change in the law after the [ARB]'s decision, and (iv) failure to consider material facts presented to the ARB before its decision.

Friedman v. Columbia Univ., ARB No. 2012-0089, ALJ No. 2012-ERA-00008 (ARB Jan. 22, 2014). Gummala's motion for reconsideration does not satisfy these criteria and is **DENIED**.

SO ORDERED.