

Chevalier v. Metropolitan Utilities District of Omaha

Case Number

A-16-0103

Call Date

March 14, 2017

Case Time

9:30 AM

Case Audio

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Case Summary

A-16-0103, Shala R. Chevalier (Appellant) v. Metropolitan Utilities District of Omaha

Douglas County, Judge W. Mark Ashford

Attorney for Appellant: Joy Shiffermiller, Abby Osborn (Shiffermiller Law Office, P.C., L.L.O.)

Attorney for Appellee: Mark Mendenhall (Metropolitan Utilities District of Omaha)

Civil Action: Employment Discrimination

Action Taken by Trial Court: Following a jury trial, the trial court entered judgment in favor of Metropolitan Utilities District of Omaha (MUD) on Chevalier's claims of discrimination because of her sex and her disability. The court subsequently overruled Chevalier's motion for new trial.

Assignments of Error on Appeal: Did the trial court err in failing to grant Chevalier's motion for directed verdict under the Family Medical Leave Act (FMLA)? Did the trial court err in allowing Dr. Mindrue to testify that Chevalier never had Lyme disease? Did the trial court err in upholding the jury verdict as no reasonable jury could conclude that the reason articulated for the disparate treatment of Chevalier was not a pretext for discrimination against Chevalier and was not sustained by sufficient evidence? Did the trial court err in sustaining MUD's objection to exhibit 133, a transcript of the meeting between Chevalier and an attorney for MUD, as it was clear evidence of retaliation? Did the trial court err in overruling Chevalier's motion for new trial?

Case Location

Omaha

Panel Text

Pirtle, Bishop, and Arterburn, Judges
