

McCall v. Nebraska Methodist Health System

Case Number

A-14-0569

Call Date

April 14, 2015

Case Time

1:00 PM

Case Audio

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Case Summary

A-14-0569, Jill McCall, et al. (Appellants) v. Nebraska Methodist Health System, et al.

Douglas County, District Judge J. Russell Derr

Attorney for Appellants: Jason M. Bruno and Diana J. Vogt (Sherrets Bruno & Vogt, LLC)

Attorney for Appellee Andrew Robertson, M.D.: James A. Snowden and Nathan D. Anderson (Wolfe, Snowden, Hurd, Luers & Ahl, LLP)

Attorney for Appellees Nebraska Methodist Health System, et al.: Mary M. Schott and Joseph S. Daly (Sodoro Daly Shomaker & Selde, PC, LLO)

Civil Action: Negligence/Medical Malpractice

Action Taken by Trial Court: The district court granted the Appellees' motions for summary judgment and denied the McCalls' motion for partial summary judgment.

Assignments of Error on Appeal: The McCalls assign that the district court erred in: (1) finding that there was no genuine issue of material fact as to whether Dr. Robertson met the standard of care; (2) granting summary judgment against them on their claims for emotional distress; (3) finding that Neb. Rev. Stat. ' 71-20,121 does not create a duty on a delivery physician and a hospital to advise parents of their rights regarding a stillborn baby; and (4) finding the hospital's failure to follow ' 71-20,121 was not evidence of negligence.

Case Location

Lincoln

Panel Text

Inbody, Pirtle and Bishop, Judges
