

McDaniel v. Western Sugar Cooperative

Case Number

A-14-0793

Call Date

April 15, 2015

Case Time

9:00 AM

Case Audio

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Case Summary

A-14-0793, Phillip McDaniel (Appellant) v. Western Sugar Cooperative and The Phoenix Insurance Company, Inc.

Nebraska Workers' Compensation Court, Judge Michael K. High

Attorney for Appellant: Rolf Edward Shasteen (Shasteen & Morris, P.C., L.L.O.)

Attorney for Appellee: Patrick B. Donahue, Dennis R. Riekenberg (Cassem, Tierney, Adams, Gotch & Douglas)

Workers' Compensation Action: Action for workers' compensation benefits as a result of an assault by a coworker.

Action Taken by Trial Court: The trial court found that the assault on the appellant did not arise out of his employment and dismissed the action.

Assignments of Error on Appeal: The appellant assigns that the compensation court erred in (1) finding that the assault on him by his coworker was due to reasons personal to him and therefore did not arise out of his employment and (2) dismissing the petition with prejudice.

Case Location

Lincoln

Panel Text

Moore, Chief Judge, Irwin and Riedmann, Judges
