

# Hassan v. Trident Seafoods

**Case Number**

S-18-0255

**Case Audio**

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October 30, 2018

**Court Number**

WCC

**Case Location**

Lincoln

**Case Summary**

S-18-0255 Abdi Hassan (Appellant) v. Trident Seafoods and Liberty Mutual Insurance, its workers? compensation insurer

Nebraska Workers? Compensation Court, Judge Thomas E. Stine

Attorneys: Travis Allan Spier (Atwood, Holsten, Brown, Deaver & Spier Law Firm, P.C., L.L.O.) (Appellant)--- Robert Kinney-Walker (Law Office of James Nubel ? Employees of Liberty Mutual Group, Inc.) (Appellee)

Civil: Workers? compensation

Proceedings below: The trial court determined it did not have jurisdiction over Appellant?s case because it found that, 1) the Appellant was not a statutory employee pursuant to Neb. Rev. Stat. § 48-115 because Appellant?s contract for hire was not entered into in Nebraska; and 2) it found that Trident was not a statutory employer pursuant to Neb. Rev. Stat. §§ 48-106(1) and 48-114 because, per the trial court, Trident did not perform its regular trade in Nebraska.

Issues: Whether the trial court erred in concluding that 1) it lacked jurisdiction; 2) in applying an interpretation of Nebraska Workers? Compensation Act Jurisdictional statutes which are more restrictive than jurisdictional rules applicable in the district courts; and 3) in failing to construe the Nebraska Workers? Compensation Act liberally, as required by law, to protect Nebraska citizens targeted in Nebraska by nonresident employers.

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