

Patterson v. Metropolitan Utilities District

Case Number

S-18-0158

Case Audio

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December 4, 2018

Court Number

Douglas

Case Location

Lincoln

Case Summary

S-18-0158 Beverly Patterson (Appellant) v. Metropolitan Utilities District

Douglas County District Court, Judge Michael Coffey

Attorneys: Daniel Wasson (High & Younes L.L.C.) (Appellant) --- Joseph J. Kehm (Metropolitan Utilities District of Omaha)(Appellee)

Civil: Political Subdivisions Tort Claims Act

Proceedings below: The trial court found that Appellant had not filed suit within two years after her claim had accrued and found that Appellant's claim was time barred pursuant to Neb. Rev. Stat. § 13-919(a). The trial court also found that Appellant had not fulfilled a condition precedent to filing suit when she did not withdraw her claim in writing.

Issues: Whether the district court erred when it held 1) that Appellant's complaint was time barred under Neb. Rev. Stat. § 13-919(1); and 2) that Appellant failed to complete a condition precedent under the Political Subdivisions Tort Claims Act (?PSTCA?) when she did not withdraw her claim in writing.
