

Larsen v. Four Hundred One Main Street, Inc.

Case Number

S-18-0168

Case Audio

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January 8, 2019

Court Number

Cass

Case Location

Lincoln

Case Summary

S-18-0168 Lee Larsen and Amy Larsen, husband and wife, and Plattsmouth Chiropractic Center, Inc. (Appellants) v. 401 Main Street, Inc., d/b/a/ Quart House Pub, and H&C, Inc.

Cass County District Court, Judge Michael A. Smith

Attorneys: Thomas A. Grennan (Gross & Welch, P.C., L.L.O.) (Appellants) ? Robert D. Mullin, Jr. (McGrath North Mullin & Kratz, PC LLO) (Appellees)

Civil: Negligence

Proceedings Below: The trial court struck expert testimony of Appellants? expert and sustained Appellees? motion for summary judgment.

Issues: Appellants assign that the trial court erred in (1) granting summary judgment in favor of Appellees, (2) finding no genuine issue regarding any material fact, (3) finding that Appellants could not show that the fire and damages would not have occurred but for Appellees? failure to properly maintain and inspect the boiler, (4) finding a gap in the causal acts between the alleged acts of negligence and the cause of the fire, (5) finding that a gap in causal acts does not support a reasonable inference as to the cause of the fire, and (6) sustaining Appellees? motion to strike the testimony of Duane Wolf.
