

Meyer Natural Foods v. Greater Omaha Packing Co

Case Number

S-18-0108

Case Audio

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January 30, 2019

Court Number

Douglas

Case Location

Lincoln

Case Summary

S-18-108 Meyer Natural Foods, L.L.C., and Crum and Forster Specialty Ins. Co. (Appellants) v. Greater Omaha Packing Co., Inc.

Douglas County District Court, Judge Shelly R. Stratman

Attorneys: Thomas A. Grennan and Adam J. Wachal (Gross & Welch) for appellants; Michael F. Coyle and Jordan W. Adam (Fraser Stryker) for appellee

Civil: Action for breach of contract

Proceedings below: District court granted summary judgment in favor of meat processor on all claims

Issues: Whether the trial court erred in 1) overruling Appellants' motion for partial summary judgment; 2) finding Appellee carried property insurance in accordance with the parties' agreement; 3) finding that nothing in the agreement required Appellee to carry property insurance coverage for E. coli contamination; 4) granting the Appellee's motion for summary judgment and dismissing the second amended complaint; 5) granting the Appellee's motion for summary judgment based on a finding that it was not liable to Appellants under the agreement and guarantee; 6) failing to properly interpret section 10 of the parties' agreement; 7) granting Appellee's motion for summary judgment based on the conclusion that Appellants accepted contaminated beef under the terms of the agreement; 8) granting Appellee's motion for summary judgment based on the conclusion Appellants accepted contaminated beef under the Nebraska Uniform Commercial Code; 9) granting Appellee's motion for summary judgment based on a finding that Appellee was not liable to indemnify Appellants; 10) granting Appellee's motion for summary judgment finding there was no evidence suggesting Appellee was negligent; or 11) granting Appellee's motion for summary judgment based on the finding Appellee was not liable and also finding no evidence suggested Appellee was negligent.
