

# Double B.J. Farms v. Peerless Machine Mfg. Inc.

**Case Number**

S-18-0154

**Call Date**

March 26, 2019

**Court Number**

Phelps

**Case Location**

Lincoln

**Case Summary**

S-18-154 Double BJ Farms, Inc. (Appellant) v. Peerless Machine & Mfg., Inc.

Phelps County District Court, Judge Stephen R. Illingworth

Attorneys: Stephen D. Mossman and Ryan K. McIntosh (Mattson Ricketts, for Appellant); Larry W. Beucke (Parker, Grossart, Bahensky, for Appellee)

Civil: Breach of express warranty; Breach of implied warranty; Negligence; Breach of contract

Proceedings below: The trial court granted a directed verdict in favor of Appellee on the claims for breach of express and implied warranty. A jury granted a verdict in favor of Appellee on the other two claims.

Issues: Whether the trial court erred in granting the directed verdict on the breach of express warranty and breach of implied warranty claims; and on cross-appeal, the trial court erred in not dismissing all claims because the assignment upon which Appellant relied to file suit lacked sufficient consideration.

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