

Pantano v. American Blue Ribbon Holdings

Case Number

S-18-0815

Case Audio

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April 24, 2019

Court Number

Douglas

Case Location

Lincoln

Case Summary

S-18-0815, Ross A. Pantano and Karyl L. Einerson (Appellees) v. American Blue Ribbon Holdings, LLC (Appellant)

Douglas County District Court, Judge Peter C. Batallion

Attorneys: Stephen G. Olson, II (Engles, Kecham, Olson & Keith, P.C., for Appellant) --- John M. Lingelbach, Minja Herian, Casandra M. Langstaff, (Koley Jessen P.C., for Appellees)

Civil: Liability for injuries

Proceedings Below: Appellees brought an action for damages for injuries sustained when Appellee fell at the property owned and controlled by Appellant. A jury found in favor of the Appellees.

Issues: The Trial Court erred in 1) denying Appellant's Motions in Limine, 2) overruling Appellant's hearsay objections to the testimony of Ross Pantano, Marilou DiPrima, and Karyl Einerson, 3) allowing evidence to be admitted at trial that Appellant did not pay any of the medical bills incurred by Arlene Pantano as a result of the incident that gave rise to this litigation, contrary to Neb. Rev. Stat. § 27-409, 4) denying Appellant's Motion for Summary Judgment, 5) denying Appellant's Motion for Directed Verdict, 6) denying Appellant's Motion for Judgment Notwithstanding the Verdict, and 6) denying Appellant's Motion for New Trial.

Issues on Cross-Appeal: The trial court erred by 1) overruling Appellee/Cross-Appellant's motion to strike Appellant's affirmative defense of comparative negligence because Appellant failed to present any evidence regarding the same, 2) instructing the jury regarding comparative negligence because Appellant failed to present any evidence regarding the same, 3) providing the jury with a verdict form incorporating comparative negligence because Appellant failed to present any evidence regarding the same.
