

# IOWA / NEBRASKA SUMMARY JUDGMENT

ENGLES | KETCHAM  
OLSON | KEITH P.C.

Partner Steve Olson recently was successful in the Nebraska Supreme Court affirming the District Court of Thurston County's grant of summary judgment on behalf of his client Knife River Inc. The administrator of the Estate of Curtis Blackbird brought suit against Knife River and other contractors following an accident which occurred on March 26, 2017 on Hwy 94. On that Date, Blackbird was on duty with the Omaha Tribal Police Department when his police cruiser collided with a crane parked on a closed portion of highway 94. To get to the location of the accident Blackbird had to drive around multiple sets of barricades designating the road as closed. Blackbird died as a result of the collision. The administrator of the Blackbird Estate brought suit alleging that all contractors were jointly and severally liable for negligence in leaving the crane on the roadway. The District Court in granting summary judgment found that as a matter of law the contractors were owed a duty to Blackbird, and that the contractors had met that duty or ordinary care in placing barricades consistent with the traffic control plan of the Nebraska Department of Roads. On appeal to the Nebraska Supreme Court, the Court found that the District Court was correct and that summary judgment was proper.



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