

NEBRASKA

DISMISSAL

ENGLES | KETCHAM
OLSON | KEITH P.C.

Eliciting testimony from an opposing party, when properly done, can unearth information which can drastically affect the strength of a party's case.

In a petition involving a trip and fall claim, attorneys Jessica Voelker and Taylor Wemhoff strategically questioned Plaintiff during deposition and trial concerning flooring conditions, Plaintiff's footwear, and the circumstances of the fall. After careful comparison of the testimony, the Judge dismissed the Plaintiff's Petition in its entirety, concluding the fall was non-compensable under a positional risk or increased risk theory.



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