

## SUMMARY STATEMENT

*Maravilla v. Simplot*

No. 43538

The Idaho Supreme Court affirmed in part and reversed in part the Idaho Industrial Commission's August 11, 2015, Order on Petition for Declaratory Ruling. In that order, the Commission held that claim preclusion did not bar Joseph Jerry Maravilla from contending J.R. Simplot Company was partly at fault for an industrial accident that injured Maravilla. The Commission further held that, even if Simplot's negligence were proven to have caused Maravilla's injury, Simplot was not barred from asserting its right to subrogation to seek reimbursement for worker's compensation benefits already paid to Maravilla.

On appeal, the Court affirmed that claim preclusion did not bar Maravilla from raising the issue of Simplot's negligence. Simplot argued the issue was barred because Maravilla had already settled a negligence lawsuit with a third-party who was partly at fault for his injury. The Court reasoned that Maravilla's negligence claim against the third-party and Simplot's subrogation claims—the only two claims asserted—did not constitute the “same claim” for purposes of res judicata because Simplot's subrogation claim did not ripen until Maravilla obtained recovery from the third-party. Additionally, the Court reversed the Commission's holding that Simplot could assert its right to subrogation to seek reimbursement for worker's compensation benefits already paid. Adhering to long-standing precedent, the Court held that an employer determined to be negligent is not permitted to assert its right to subrogation.