

SUMMARY STATEMENT

Gomez v. Crookham

Docket No. 45542

The Supreme Court affirmed in part and reversed in part the judgment of the Canyon County district court granting summary judgment for Crookham Company (Crookham) on all claims relating to the death of Mrs. Francisca Gomez. The Supreme Court held that the Gomezes' product liability claims fail as a matter of law because Crookham is not a "manufacturer" of the equipment at issue, and also held that Mrs. Gomez was working within the scope of her employment at the time of the accident that killed her. However, the Supreme Court held that the district court erred in failing to consider the issue of whether Crookham "consciously disregarded knowledge" that the equipment Mrs. Gomez was working under posed a significant risk to Mrs. Gomez. As a result, the Supreme Court remanded to the district court to determine whether this exception to the exclusive remedy rule applies by determining whether there is a genuine issue of material fact as to whether Crookham "consciously disregarded knowledge" of a serious risk to Mrs. Gomez.