

SUMMARY STATEMENT
Arellano v. Sunrise Homes, Inc.
Docket No. 49695

This appeal involves the “unprovoked physical aggression” exception to the exclusive remedy rule in the worker’s compensation statute. Saul Arellano was injured while working as a roofer on a construction project for Sunrise Homes, LLC (“Sunrise Homes”). Arellano received worker’s compensation benefits through Sunrise Homes insurance, however, he later filed an action against Sunrise Homes that alleged, among other things, that Sunrise Homes’s negligence resulted in Arellano’s injuries. Sunrise Homes moved for summary judgment, contending that Arellano’s claims were barred by the exclusive remedy rule in worker’s compensation. Arellano opposed the motion and argued that the “unprovoked physical aggression” exception applied to remove his claims from the realm of worker’s compensation and that there were factual issues that required a trial. The district court granted summary judgment in favor of Sunrise Homes after it determined the “unprovoked physical aggression” exception did not apply in this case.

On appeal, Arellano argued that the district court applied the wrong evidentiary standard to the evidence he offered in opposition to summary judgment, and that summary judgment was not appropriate because he raised factual issues that required a trial. The Idaho Supreme Court agreed that the district court applied the wrong evidentiary standard, but on de novo review affirmed the district court’s decision. The Court held that summary judgment was appropriate because Arellano failed to establish that whether the “unprovoked physical aggression” exception applied required a trial. Arellano did not present facts to show that Sunrise Homes knew that Arellano’s injuries were substantially likely to occur. Without presenting facts related to Sunrise Homes’ knowledge, Arellano could not satisfy the “unprovoked physical aggression” exception at trial because he would be required to show both knowledge and conduct. As a result, the Court determined that the district court did not err when it granted summary judgment in favor of Sunrise Homes.

******This summary constitutes no part of the opinion of the Court, but has been prepared by
court staff for the convenience of the public******