

SUMMARY STATEMENT

Clover v. Crookham, Docket No. 50200

This appeal arose from injuries Dustin Clover sustained while removing irrigation drip tape from a seed field while working for Crookham Company (“Crookham”) in 2018. Clover filed a complaint against Crookham in district court, alleging that his injuries fell within an exception to the exclusive remedy rule under the Worker’s Compensation statutes that permits an employee to file a separate civil action against an employer if the employer commits an act of “willful or unprovoked physical aggression” against the employee. Crookham moved for summary judgment, arguing that Clover failed to put forth evidence to support his claim that the “willful or unprovoked physical aggression” exception applied. The district court agreed and granted Crookham’s motion for summary judgment. Clover filed a motion for reconsideration, which the district court also denied. The Idaho Supreme Court affirmed the district court’s decision to grant Crookham’s motion for summary judgment, reasoning that Clover failed to present an issue of material fact to support his allegation that his injuries were proximately caused by the unprovoked physical aggression of Crookham. The Court also held that the district court did not err in denying Clover’s motion for reconsideration because Clover did not put forward new facts to support the motion sufficient to raise a genuine dispute of material fact.

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