
Tobin Wins Unanimous Appeal of Blasting Case from the North Carolina Court of Appeals

NEWS | FEBRUARY 20, 2017

Jay Tobin successfully appealed the trial court's partial denial of summary judgment for his blasting company clients. The plaintiff, a former employee of the blasting company injured on the job, sought to establish a strict liability exception under Woodson to the Workers' Compensation Act's exclusivity provision for employees who are injured while engaged in ultra hazardous activities. In a unanimous decision after hearing oral arguments from the parties, the North Carolina Court of Appeals reversed and remanded the partial denials of summary judgment in favor of the defendants, holding there is no exception in the Workers' Compensation Act for strict liability claims against an employer and co-workers. Jay also obtained reversal and remand of denial of summary judgment for a co-worker sued under Pleasant. **Angela Craddock** assisted in preparing for the oral argument before the North Carolina Court of Appeals and in preparing the clients' supplemental brief to the North Carolina Court of Appeals.

Click [here](#) to access a copy of the decision.

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