

SUPREME COURT OF MINNESOTA

Dennis E. Kinworthy v. Soo Line Railroad Company, d/b/a CP Rail System

860 N.W.2d 355 (Minn. 2015) · No. A13-0915 · Decided March 4, 2015

SUMMARY

The Minnesota Supreme Court held that federal substantive law governs the recoverability of prejudgment interest in a state-court action under the Federal Employers' Liability Act. Applying *Monessen Southwest Railway v. Morgan* and related precedent, the court concluded that a successful FELA plaintiff is not entitled to post-verdict, prejudgment interest under Minnesota Statutes section 549.09. The court affirmed the denial of Dennis Kinworthy's request for interest on his \$340,000 jury verdict.

CASE DETAILS

COURT	Supreme Court of Minnesota
WRITING FOR THE COURT	Dietzen, Justice; Lillehaug, Justice
JURISDICTION	Minnesota
DECIDED	March 4, 2015
DOCKET	A13-0915
DISPOSITION	affirmed
PROCEDURAL POSTURE	Kinworthy appealed from the denial of his post-trial motion seeking post-verdict, prejudgment interest under Minn. Stat. § 549.09, subd. 1(a), in a state-court action under the Federal Employers' Liability Act.
STANDARD OF REVIEW	De novo review of the legal question whether Minn. Stat. § 549.09, subd. 1(a), applies in a state-court FELA action.
PRECEDENTIAL VALUE	Published Minnesota Supreme Court decision; binding precedent in Minnesota.
PARTIES	Dennis E. Kinworthy v. Soo Line Railroad Company, d/b/a CP Rail System

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QUESTIONS PRESENTED

1. Whether federal or Minnesota law governs the recoverability of post-verdict, prejudgment interest in a FELA action brought in Minnesota state court.
2. Whether Minn. Stat. § 549.09, subd. 1(a), entitles a successful FELA plaintiff to interest accruing from the jury verdict until entry of judgment.

HOLDINGS

1. The recoverability of prejudgment interest in a FELA action brought in state court is governed by federal substantive law, not by the state's characterization of its interest statute as procedural.
2. A successful plaintiff in a FELA action brought in Minnesota state court is not entitled to post-verdict, prejudgment interest under Minn. Stat. § 549.09, subd. 1(a), because federal law does not authorize prejudgment interest in FELA actions.

KEY QUOTATIONS

“We conclude that prejudgment interest under Minn. Stat. § 549.09, subd. 1(a)-(b), whether it is pre-verdict or post-verdict, is not recoverable in a FELA action brought in Minnesota state court.” (360)

“The recoverability of post-verdict, prejudgment interest under Minn. Stat. § 549.09, subd. 1(a), in a FELA action brought in state court is governed by federal substantive law.” (360)

“Pursuant to Monessen, 486 U.S. at 338, a successful plaintiff in a FELA action is not entitled to recover post-verdict, prejudgment interest.” (360)

FACTUAL BACKGROUND

Dennis Kinworthy was injured on January 24, 2009, while working as a conductor for Soo Line Railroad. He brought a Minnesota state-court action under FELA and the Locomotive Inspection Act, and the jury awarded him \$340,000 after finding that the railroad violated the LIA. Judgment was entered after the verdict and post-trial proceedings, and Kinworthy sought \$7,854.30 in interest for the period between the verdict and entry of judgment.

PROCEDURAL HISTORY

Kinworthy sued Soo Line in Minnesota state court under FELA and the Locomotive Inspection Act after sustaining an employment-related injury. A jury awarded him \$340,000, but the district court denied his motion for \$7,854.30 in interest accruing between the verdict and entry of judgment. The Minnesota Court of Appeals affirmed, and the Minnesota Supreme Court affirmed the Court of Appeals.

DISPOSITION

affirmed

CASES CITED

- *Urie v. Thompson*, 337 U.S. 163, 189 (1949)
- *Monessen Sw. Ry. v. Morgan*, 486 U.S. 330, 334-39 (1988)
- *Kinworthy v. Soo Line R.R.*, 841 N.W.2d 363, 367-68 (Minn. App. 2013)
- *Atchison, Topeka & Santa Fe Ry. v. Buell*, 480 U.S. 557, 561 & n.5 (1987)
- *Dice v. Akron, Canton & Youngstown R.R.*, 342 U.S. 359, 361, 363 (1952)
- *N.Y. Cent. R.R. v. Winfield*, 244 U.S. 147, 149 (1917)
- *St. Louis Sw. Ry. v. Dickerson*, 470 U.S. 409, 411 (1985)
- *Brown v. W. Ry. of Ala.*, 338 U.S. 294, 296, 298-99 (1949)
- *Chesapeake & Ohio Ry. v. Kelly*, 241 U.S. 485, 489-90 (1916)
- *Lienhard v. State*, 431 N.W.2d 861, 865 (Minn. 1988)
- *Kaiser Aluminum & Chemical Corp. v. Bonjorno*, 494 U.S. 827, 834-36 (1990)
- *Norfolk & W. Ry. v. Liepelt*, 444 U.S. 490, 492-93 (1980)
- *New Orleans & Ne. R.R. v. Harris*, 247 U.S. 367, 372 (1918)
- *Atl. Coast Line R.R. v. Burnette*, 239 U.S. 199, 201 (1915)
- *Cent. Vt. Ry. v. White*, 238 U.S. 507, 512 (1915)
- *Lund v. San Joaquin Valley R.R.*, 71 P.3d 770, 779 (Cal. 2003)
- *Bodenheimer v. New Orleans Pub. Belt*, 860 So. 2d 534 (La. 2003)
- *Hairston v. Metro-North Commuter R.R.*, 823 N.Y.S.2d 391, 393 (N.Y. App. Div. 2006)
- *Lockley v. CSX Transp., Inc.*, 66 A.3d 322, 326-29 (Pa. Super. Ct. 2013)
- *Jacobs v. Dakota, Minn. & E. R.R.*, 806 N.W.2d 209, 216 (S.D. 2011)
- *Denning v. CSX Transp., Inc.*, No. M2012-01077, 2013 WL 5569145, at *8 (Tenn. Ct. App. Oct. 9, 2013)
- *Weber v. Chicago & Nw. Transp. Co.*, 530 N.W.2d 25, 31-32 (Wis. Ct. App. 1995)
- *Kernan v. American Dredging Co.*, 355 U.S. 426, 432 (1958)

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