

SUPREME COURT OF OKLAHOMA

Fargo v. Hays-Kuehn

2015 OK 56 (Okla. 2015) · No. 111416 · Decided June 30, 2015

SUMMARY

The Oklahoma Supreme Court reviewed a summary judgment in a negligence action arising from a multivehicle motorcycle collision. The court held that disputed facts and competing inferences regarding the defendant's due care and proximate causation required resolution by a jury, making summary judgment improper. The court vacated the Court of Civil Appeals' opinion, reversed the district court's judgment, and remanded for further proceedings.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Watt, J.; Reif, C.J.; Edmondson, J.; Colbert, J.; Gurich, J.
JURISDICTION	Oklahoma
DECIDED	June 30, 2015
DOCKET	111416
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiffs appealed from a district court order granting summary judgment to Kuehn in a negligence action. The Court of Civil Appeals affirmed, and the Oklahoma Supreme Court granted certiorari.
STANDARD OF REVIEW	Summary judgment is reviewed de novo. The record and all reasonable inferences must be viewed in the light most favorable to the nonmoving party, and summary judgment is improper when material facts are disputed or reasonable persons could reach different conclusions.
PRECEDENTIAL VALUE	Published Oklahoma Supreme Court opinion; precedential
PARTIES	Misty Dawn Fargo, The Estate of Jason Patterson by and through Mother and Personal Representative Norma Patterson v. Teresa Hays-Kuehn

TOPICS

- summary judgment
- proximate cause
- negligence
- standard of review
- appellate procedure

PRACTICE AREAS

torts

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether disputed facts and conflicting inferences concerning Kuehn's operation of her vehicle precluded summary judgment on primary negligence.
2. Whether Kuehn's conduct could be treated as merely a condition rather than a proximate cause of the collision as a matter of law.
3. Whether the evidence permitted a jury to determine whether Kuehn's conduct proximately caused plaintiffs' injuries.

HOLDINGS

1. Summary judgment is inappropriate where material facts are disputed or reasonable persons could draw different conclusions from the evidence. The evidence concerning Kuehn's conduct, the surrounding traffic conditions, and causation required resolution by a jury.
2. Whether Kuehn's conduct was a proximate cause of the collision, or merely a condition, was a question for the jury rather than a question of law.

KEY QUOTATIONS

"We hold that whether Kuehn's actions were the proximate cause of the accident or merely a "condition" is a question for the trier of fact making summary adjudication inappropriate." (§10)

"Whether Kuehn's actions meet the standards of due care, is exclusively a question for the jury unless under the facts, reasonable minds could not differ." (§13)

"It becomes one of law only when there is no evidence from which a jury could reasonably find a causal nexus between the act and the injury." (§16)

"A summary judgment cannot become a substitute trial by affidavit instead of a trial according to law." (§19)

FACTUAL BACKGROUND

Kuehn, driving a large truck on a rural two-lane highway, approached Sankey's stopped or slowing vehicle and passed it at highway speed by crossing into the oncoming lane without braking or signaling. Merrill was driving directly behind Kuehn, whose truck blocked Merrill's view of Sankey and the approaching motorcycle. When Kuehn returned to her lane, Merrill attempted evasive maneuvers but collided with Sankey's vehicle and the motorcycle, killing Patterson and seriously injuring Fargo. The Oklahoma Highway Patrol attributed the collision in part to Kuehn's inattention and failure to reduce speed, although the record contained disputed facts and differing expert opinions.

PROCEDURAL HISTORY

After a motorcycle collision killed Jason Patterson and severely injured passenger Misty Dawn Fargo, plaintiffs sued Kuehn, Merrill, and Sankey for negligent vehicle operation. Merrill and Sankey were dismissed without prejudice, leaving Kuehn as the only defendant. The district court granted Kuehn summary judgment, the Court of Civil Appeals affirmed, and the Oklahoma Supreme Court vacated the appellate opinion, reversed the district court, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter was remanded to the district court for further proceedings consistent with the opinion, including jury resolution of the disputed negligence and proximate-cause issues.

CASES CITED

- In re Macfarlane, 2000 OK 87, 14 P.3d 551
- Prudential Insurance Co. of America v. Glass, 1998 OK 52, 959 P.2d 586
- Jackson v. Jones, 1995 OK 131, 907 P.2d 1067
- Union Transportation Co. v. Lamb, 1942 OK 13, 123 P.2d 660
- Seitsinger v. Dockum Pontiac, Inc., 1995 OK 29, 894 P.2d 1077
- Green v. Sellers, 1966 OK 65, 413 P.2d 522
- Breno v. Weaver, 1952 OK 407, 252 P.2d 487
- Dirickson v. Mings, 1996 OK 2, 910 P.2d 1015
- Thompson v. Walton, 1956 OK 173, 297 P.2d 1084
- Thompson v. Presbyterian Hospital, Inc., 1982 OK 87, 652 P.2d 260
- Barnes v. Oklahoma Farm Bureau Mutual Insurance Co., 2000 OK 55, 11 P.3d 162
- Malson v. Palmer Broadcasting Group, 1997 OK 42, 936 P.2d 940
- Griffeth v. Pound, 1960 OK 133, 357 P.2d 965
- Lowery v. Echostar Satellite Corp., 2007 OK 38, 160 P.3d 959
- Delbrel v. Doenges Bros. Ford, Inc., 1996 OK 36, 913 P.2d 1318
- Wood v. Mercedes-Benz of Oklahoma City, 2014 OK 68, 336 P.3d 457
- Weldon v. Dunn, 1998 OK 80, 962 P.2d 1273
- Berman v. Laboratory Corporation of America, 2011 OK 106, 268 P.3d 68
- Smith v. Hines, 2011 OK 51, 261 P.3d 1139
- Scott v. Archon Group, L.P., 2008 OK 45, 191 P.3d 1207
- Sholer v. ERC Management Group, LLC, 2011 OK 24, 256 P.3d 38
- Pickens v. Tulsa Metropolitan Ministry, 1997 OK 152, 951 P.2d 1079
- Tucker v. ADG, Inc., 2004 OK 71, 102 P.3d 660

- City of Tulsa v. Harmon, 1931 OK 73, 299 P. 462
- Bray v. St. John Health System, Inc., 2008 OK 51, 187 P.3d 721

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