

Bond Case Briefs

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LIABILITY - WYOMING

Harmon v. Star Valley Medical Center

Supreme Court of Wyoming - July 16, 2014 - P.3d - 2014 WY 90

Personal representative of estate of patient brought negligence action against governmental health care provider and its employees, alleging that their negligence caused patient's death. The District Court granted summary judgment in favor of health care provider and employees. Personal representative appealed.

The Supreme Court of Wyoming held that:

- Claim failed to satisfy execution under oath requirement of WGCA and state constitution;
- Execution under oath requirement of WGCA and state constitution was nonjurisdictional requirement that could be waived, overruling *Beaulieu v. Florquist*, 86 P.3d 863, *Bell v. Schell*, 101 P.3d 465, and *Wooster v. Carbon County School Dist. No. 1*, 109 P.3d 893; and
- Health care provider waived defense that claim failed to comply with execution under oath requirement of WGCA and state constitution.