

Bond Case Briefs

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EMPLOYMENT - MARYLAND

Blue v. Arrington

Court of Special Appeals of Maryland - January 30, 2015 - A.3d - 2015 WL 404398

Employee, who was injured by co-worker while both men were acting within the scope of their city employment and who received workers' compensation for his injuries, brought a negligence action against co-worker for the same injuries. City filed, on co-worker's behalf, a motion to dismiss. The Circuit Court granted motion, and employee appealed.

The Court of Special Appeals held that:

- Local Government Tort Claims Act provision, stating that, if injury sustained is compensable under the Maryland Workers' Compensation Act, an employee may not sue a fellow employee for tortious acts, did not violate equal protection, and
- Local Government Tort Claims Act provision did not violate open access to courts provision of the Declaration of Rights.