

# **Bond Case Briefs**

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## **IMMUNITY - OREGON**

### **Johnson v. Gibson**

**Supreme Court of Oregon - March 3, 2016 - P.3d - 2016 WL 852868**

Jogger who was injured after falling while jogging in municipal park brought action in diversity against park employees, alleging negligence. Parties consented to final disposition by magistrate judge. The District Court granted summary judgment for defendants. Jogger appealed. The Court of Appeals certified questions.

The Supreme Court of Oregon held that city employees responsible for maintaining improvements on city-owned recreational land were not entitled to city's tort immunity under Public Use of Lands Act.

Individual employees responsible for repairing, maintaining, and operating improvements on city-owned recreational land made available to the public for recreational purposes are not "owners" of the land, as that term is defined in the Oregon Public Use of Lands Act and, therefore, they are not immune from liability for their negligence.