

Bond Case Briefs

Municipal Finance Law Since 1971

IMMUNITY - OKLAHOMA

Farley v. City of Claremore

Supreme Court of Oklahoma - May 5, 2020 - P.3d - 2020 WL 2125444 - 2020 OK 30

Following workers' compensation award, surviving spouse and family of deceased city fireman who died while responding to an emergency request for assistance during a flash flood brought wrongful death action against city, seeking damages and injunctive relief.

The District Court granted city's motion to dismiss. Spouse appealed, and the Supreme Court retained the appeal.

The Supreme Court held that:

- Brother lacked survivor cause of action;
- Successful workers' compensation claim estopped parents and surviving spouse from bringing wrongful death action;
City had immunity for statutory wrongful death action; and
- Spouse lacked standing to seek injunctive relief compelling city to comply with certain training standards for technical search and rescue incidents.