Brian Woolley Authors Piece for In-House

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Member Brian Woolley (Kansas City - Labor & Employment) was published in the January 2008 edition of *Midwest In-House*, a Lawyers USA publication. Mr. Woolley's piece examined trends in recent case law pertaining to employer liability for cell phone usage of employees in transit.

"There have been several cases that lay the groundwork for employer liability for collisions caused by cell phone usage," Mr. Woolley writes. "Several legal theories have been advanced to establish liability for the company arising from an employee's cell phone-related accident, including direct negligence (for requiring or encouraging cell phone usage while driving) and vicarious liability. The cases show that every employer, large and small, should be aware of this potential liability."

Mr. Woolley then briefly summarizes litigation in this area in a number of states, comparing and contrasting the situations that might apply to suits that would be brought in particular jurisdictions.

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