

STATE OF MINNESOTA

IN SUPREME COURT

A13-0733

Carol J. Kainz,

Respondent,

vs.

Arrowhead Senior Living Community,
Self-Insured, administered by Berkley Risk
Administrators Co.,

Relator,

and

Iron Range Rehab Center, Orthopaedic
Associates of Duluth, P.A.,

Intervenors.

Steven T. Moe, Petersen, Sage, Graves, Layman & Moe, P.A., Duluth, Minnesota, for
respondent.

Edward Q. Cassidy, Lori-Ann C. Jones, Fredrickson & Byron, P.A., Minneapolis,
Minnesota, for relator.

Considered and decided by the court without oral argument.

ORDER

The Petition for Writ of Certiorari from the Workers' Compensation Court of
Appeals was filed on April 26, 2013, and on December 26, 2013, we issued a decision in

Dykhoff v. Xcel Energy, 840 N.W.2d 821 (Minn. 2013), that addressed whether the work-connection test is an appropriate test for determining whether an injury is compensable.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the decision of the Workers' Compensation Court of Appeals (WCCA) filed April 1, 2013, be, and the same is, vacated and the matter is remanded to the WCCA for further proceedings consistent with *Dykhoff v. Xcel Energy*, 840 N.W.2d 821 (Minn. 2013).

Dated: March 10, 2014

BY THE COURT:

/s/
Alan C. Page
Associate Justice

LILLEHAUG, J., took no part in the consideration or decision of this case.