

UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
BILLINGS DIVISION

DONNA M. UNDERBERG as  
Personal Representative of the Estate  
of Thomas J. Underberg and as  
Personal Representative on behalf of  
Donna M. and Mark G. Underberg,

Plaintiff,

vs.

EMPLOYERS MUTUAL  
CASUALTY COMPANY,

Defendant.

Case No. CV-15-112-BLG-TJC

JUDGMENT IN A CIVIL CASE

**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**X Decision by Court.** This action came before the Court for bench trial, hearing, or determination on the record. A decision has been rendered.

IT IS ORDERED AND ADJUDGED EMC's Motion for Partial Summary Judgment Regarding Choice of Law (Doc. 36) is DENIED. EMC's Motion for Summary Judgment Regarding Duty and Causation (Doc. 39) is GRANTED.

Dated this 20th day of March, 2018.

TYLER P. GILMAN, CLERK

By: /s/ Anna Contreras  
Anna Contreras, Deputy Clerk

