

STATE OF MINNESOTA

IN SUPREME COURT

A08-1427

Nelson Zacarias,

Respondent,

vs.

Nuaire, Inc. and
American Compensation Insurance Co./
RTW, Inc.,

Relators,

and

Noran Neurological Clinic,

Intervenor.

Bernard J. Robichaud, Jr., Robichaud & Anderson, P.A., Minneapolis, Minnesota,
for respondent.

Gregg A. Johnson, Joseph P. Mitchell, Heacox, Hartman, Kosmrl, Cosgriff & Johnson,
P.A., Minneapolis, Minnesota, for relators.

Considered and decided by the court without oral argument.

ORDER

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED that the decision of the Workers' Compensation Court of Appeals filed August 6, 2008, be, and the same is, affirmed without opinion. *See Hoff v. Kempton*, 317 N.W.2d 361, 366 (Minn. 1982) (explaining that “[s]ummary affirmances have no precedential value because they do not commit the court to any particular point of view,” doing no more than establishing the law of the case).

Employee is awarded \$1,200 in attorney fees.

Dated: December 16, 2008

BY THE COURT:

/s/

Lorie S. Gildea
Associate Justice