

STATE OF MINNESOTA

IN SUPREME COURT

A08-2047

Charles G. Jacob,

Respondent,

vs.

Davies, Inc., and
CNA/National Fire Insurance Company of Hartford,
f/k/a Transcontinental Insurance Company,

Relators.

Lorrie L. Bescheinen, Borkon, Ramstead, Mariani, Fishman & Carp, Ltd., Minneapolis,
Minnesota, for respondent.

Jeffrey A. Magnus, Law Offices of Jeffrey A. Magnus, Edina, Minnesota, for relators.

Considered and decided by the court without oral argument.

O R D E R

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED that the decision of the Workers' Compensation
Court of Appeals filed October 31, 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 not allowed attorney fees.

Dated: February 25, 2009

BY THE COURT:

/s/

Paul H. Anderson
Associate Justice