

STATE OF MINNESOTA

IN SUPREME COURT

A10-695

Shannon M. Tambornino,

Respondent,

vs.

Health Risk Management, and Kemper
Insurance Companies/Broadspire Services,

Relators.

Thomas D. Mottaz, David B. Kempston, Law Office of Thomas D. Mottaz, Coon Rapids,
Minnesota, for respondent.

Brad M. Delger, Aafedt, Forde, Gray, Monson & Hager, P.A., Minneapolis, 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 March 18, 2010, 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: August 25, 2010

BY THE COURT:

/s/

Lorie S. Gildea
Chief Justice

STRAS, J. (dissenting).

I respectfully dissent from the summary affirmance in this case because I would have preferred to schedule the case for oral argument given the submissions of the parties.