



TVERBERG V. FILLNER CONSTRUCTION, INC., (2010) (CALIFORNIA SUPREME COURT) 75 CCC 702, 49 Cal. 4th 518, *Provided by Lawrence Moore from the Oakland/Sacramento offices.*

The CA Supreme Court in a published decision, reversed the appellate court and held that the hirer of an independent contractor is not vicariously liable for an on-the-job injury suffered by that independent contractor pursuant to the “peculiar risk” doctrine. The Court’s decision upheld and followed its prior ruling in *Privette v Superior Court (Contreras)* (1993) 5C4th 689, CWCR 215, 58 CCC 420. The Court further specifically ruled that the fact that the independent contractor did NOT have workers’ compensation insurance available to cover his injuries was irrelevant to consideration in making the decision.