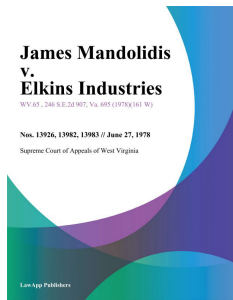


# BEAULD.COM Ebook and Manual Reference

## JAMES MANDOLIDIS V ELKINS INDUSTRIES EBOOKS 2019



Author: United States Court of Appeals for the Fourth Circuit

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Under W.Va. Code Â§ 23-4-2 an employer is subject to a common law tort action for damages or for wrongful death where such employer commits an intentional tort or engages in willful, wanton, and reckless misconduct, and to the extent that the syllabus point in Allen v. Raleigh-Wyoming Mining Co., 117 W.Va. 631, 186 S.E. 612 (1936), syllabus point 3 of Brewer v. Appalachian Constructors, Inc., 135 W.Va. 739, 65 S.E.2d 87 (1951), and syllabus point 2 of Eisnaugle v. Booth, W.Va. , 226 S.E.2d 259 (1976) are inconsistent therewith, they are hereby expressly disapproved of and overruled.

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