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# coronavirus consort – court rejects wife's covid-19 suit against husband's employer

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Jeremy Mittman & Daniel Innamorati  
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A federal judge in the Northern District of California tossed a lawsuit by the wife of an employee who allegedly contracted COVID-19 at work and transmitted the virus to her, finding that the wife's claims are preempted by California's worker's compensation law.

Mrs. Corby Kuciemba claimed she contracted COVID-19 after her husband, a Victory Woodworks Inc. employee, transferred jobsites without quarantining. Ms. Kuciemba claimed Victory "knew or should have known" that its workers were potentially exposed to the virus. Attempting to capitalize on California precedent holding employers liable so-called "take-home" torts, Mrs. Kuciemba characterized COVID-19 as similar to mesothelioma, for which non-employee household members have successfully brought lawsuits after a household member has come home from work in clothing carrying a toxin from the workplace...

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## **attorneys**

Jeremy Mittman

## **practice areas**

labor & employment