I.R.C.P. 50.b. Motion for Judgment Notwithstanding the Verdict.

Idaho Rules of Civil Procedure Rule 50(b). Motion for Judgment Notwithstanding the Verdict.

A motion for judgment notwithstanding the verdict shall be served not later than fourteen (14) days after entry of the judgment and may be made whether or not the party moved for a directed verdict; or if a verdict was not returned a motion for judgment notwithstanding the verdict shall be served not later than fourteen (14) days after discharge of the jury. A motion for a new trial may be joined with this motion, or a new trial may be prayed for in the alternative, in conformance with the requirements of Rule 59(a); and a motion to set aside or otherwise nullify a verdict or for a new trial shall be deemed to include this motion as an alternative. If a verdict was returned the court may allow the judgment to stand or may reopen the judgment and either order a new trial or direct the entry of judgment. If no verdict was returned the court may direct the entry of judgment or may order a new trial. The failure of a party to move for a directed verdict, for a judgment notwithstanding the verdict or for a new trial shall not preclude appellate review of the sufficiency of the evidence when proper assignment of error is made in the appellate court.

(Amended March 31, 1978, effective July 1, 1978; amended June 15, 1987, effective November 1, 1987; amended February 10, 1993, effective July 1, 1993.)

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