

BOISE, IDAHO, OCTOBER 1, 2025, AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

HARRY JOHNSON, individually, and as)	
Representative of the Estate of Colby Eldon)	
Johnson, Deceased,)	Docket No. 51893-2024
)	
Plaintiff-Appellant,)	
)	
v.)	
)	
SRM DOUBLE L, LLC, an Idaho entity,)	
)	
Defendant-Respondent,)	
)	
and)	
)	
SNAKE RIVER MANUFACTURING, LLC,)	
an Idaho entity; DOUBLE L)	
MANUFACTURING, INCORPORATED, an)	
Idaho entity, BEADZ BROTHERS FARMS,)	
an Idaho partnership,)	
)	
Defendants.)	
)	

Appeal from the District Court of the Fifth Judicial District of the State of Idaho, Gooding County. Rosemary Emory, District Judge.

Patrick Daniel Law, *Pro Hac Vice*, Houston, Texas, and Jacobson & Jacobson, PLLC, Boise, for Appellant.

Moore, Elia & Kraft, LLP, Boise, for Respondent.

Henry Johnson’s son, Colby, died in an accident involving a self-unloading bed (“conveyor”) installed on a truck owned by Colby’s employer. Mr. Johnson filed a negligence and product liability suit against various defendants, including SRM Double L, LLC, which manufactured the conveyor.

SRM moved for summary judgment, making two arguments. First, SRM argued that it is not liable because the accident occurred when the conveyor was beyond its useful and safe life under Idaho Code section 6-1403. Second, SRM argued that Idaho Code section 6-1405 precludes its liability because Mr. Johnson alleged that the conveyor had been modified after it left SRM’s control. Mr. Johnson filed an opposition to the motion, which SRM moved to strike as untimely. The district court agreed that the opposition was untimely, ordered it stricken, and granted SRM’s

motion for summary judgment based on both Idaho Code section 6-1403 and Idaho Code section 6-1405.

SRM also moved for sanctions under Idaho Rules of Civil Procedure 11 and 37. SRM argued that sanctions were appropriate under Rule 37 because Mr. Johnson failed to respond to discovery requests, requiring SRM to file a motion to compel. SRM argued that sanctions were appropriate under Rule 11 because Mr. Johnson's counsel made misrepresentations to the district court to secure continuances of certain hearings. The district court granted that motion and ordered that Mr. Johnson's counsel is liable for associated attorney fees and costs.

Mr. Johnson filed a timely notice of appeal. On appeal, he argues that the district court erred by granting both motions. With respect to SRM's motion for summary judgment, he argues that, even unopposed, SRM failed to show that the claims against it are barred by Idaho Code section 6-1403. He also argues, though, that the district court abused its discretion by striking his opposition to SRM's motion for summary judgment. Mr. Johnson argues, second, that the district court abused its discretion in granting SRM's motion for sanctions. He argues that the sanctions are not proper under Rule 37 because Mr. Johnson eventually provided the discovery responses at issue, and because SRM did not use those responses to support its successful motion for summary judgment. He argues that the sanctions are not proper under Rule 11 because the district court relied on hearsay to determine that his counsel made misrepresentations to the district court. SRM contends Mr. Johnson has not shown the district court erred or abused its discretion.