

SUMMARY STATEMENT

Agrisource v. Johnson, Docket No. 40340

The Idaho Supreme Court affirmed in part, vacated in part, and remanded Robert Johnson's appeal of the Bonneville County district court's judgment for breach of contract in favor of Agrisource Inc. Johnson worked for Johnson Grain Inc., which was owned by Neil Brown. Johnson entered into two contracts to deliver wheat to Agrisource: one in December of 2006, and one in January of 2007. Agrisource did not receive any grain from the January contract and subsequently sued for damages against Johnson. Johnson asserted he was an agent of Johnson Grain Inc. and that as such, Johnson Grain Inc. was responsible for the damages owing. The district court entered summary judgment against Johnson for the damages because Johnson did not specifically state he was an agent for Johnson Grain. The Idaho Supreme Court agreed and further denied Johnson's third motion to reconsider that summary judgment. However, the Idaho Supreme Court did send the case back for review of Johnson's I.R.C.P. 60(b) motion for relief.