

SUMMARY STATEMENT

Sims v. Jacobson, Docket No. 40474

The Idaho Supreme Court affirmed the Kootenai County district court's attorney fees award to Dan S. Jacobson, Sage Holdings, LLC, Steven G. Lazar, the Mitchell A. Martin and Karen C. Martin Family Trust, and Devon Chapman (collectively "the Jacobson group"). This appeal arose after Keith A. Sims, dba Kasco of Idaho, LLC ("Sims") asserted claims against the Jacobson group for lien foreclosure, breach of contract, and quantum meruit. The district court dismissed all of Sims's claims with prejudice and awarded the Jacobson group attorney fees for the breach of contract and quantum meruit claims under Idaho Code sections 12-120(3) and 12-121.

Sims appealed, but subsequently withdrew several of his initial issues on appeal. The issues remaining were the district court's attorney fees award and attorney fees on appeal. The Supreme Court concluded that the district court correctly awarded reasonable attorney fees under section 12-120(3) because Sims's claims were based on an alleged commercial transaction. As to attorney fees on appeal, the Court awarded the Jacobson group attorney fees as sanctions on Sims's withdrawn lien foreclosure issue and awarded the Jacobson group attorney fees on all other issues under section 12-120(3).