

## SUMMARY STATEMENT

*Pocatello Hospital, LLC dba Portneuf Medical Center, LLC v. Quail Ridge Medical Investor, LLC and Forrest L. Preston* – Docket No. 41589

In a case arising out of Bannock County, the Idaho Supreme Court affirmed the district court's grant of summary judgment in favor of Pocatello Hospital, LLC d/b/a Portneuf Medical Centers, LLC (PMC). This appeal stems from a 1983 Ground Lease of 4.25 acres of property in Pocatello, Idaho, which Quail Ridge Medical Investors, LLC (Quail Ridge) leases from PMC. This is the second appeal that has reached this Court related to payment of rent under the Ground Lease for the period of 2010 to 2012. In *PMC I*, Quail Ridge appealed a declaratory judgment entered by the district court which found PMC was entitled to an adjustment in the annual rent owed by Quail Ridge from \$9,562.50 annually to \$148,500 annually, and that Quail Ridge was obligated to pay PMC \$416,812.50 in rent for the period at issue. This Court affirmed the district court's declaratory judgment in *PMC I*. Prior to resolution of the appeal in *PMC I*, however, and in response to Quail Ridge's failure to pay the outstanding amount, PMC filed a new action seeking payment of the adjusted rents under breach of contract and breach of guarantee theories. The district court found on summary judgment that Quail Ridge breached the Ground Lease and that Forrest Preston (Preston) breached a personal guarantee covering the same. Quail Ridge argued that *res judicata* bars the claims against Quail Ridge and Preston. The Supreme Court affirmed the district court's grant of summary judgment.