

## **SUMMARY STATEMENT**

*Humphries v. Becker*, Docket No. 41897

In a case involving alleged fraudulent disclosures in a property sale and arising out of Cassia County, The Idaho Supreme Court affirmed the summary judgment and grant of attorney fees in favor of the respondents, Allen and Jane Becker (“Allen” and “Jane”), and vacated the summary judgment and the grant of attorney fees in favor of Eileen Becker (“Eileen” and collectively the “Beckers”). Appellants Robert and Becky Humphries (“Humphries”) had brought suit for fraud and violation of the Idaho Condition Disclosure Act, arguing that the Beckers misrepresented the water supply to the property that the Humphries had purchased from the Beckers. The Idaho Supreme Court held that summary judgment in favor of Allen and Jane was proper because they had not affirmatively made any fraudulent statements nor acted as Eileen’s agent for any fraudulent statements that she may have made. The Court vacated the summary judgment in Eileen’s favor because there was a genuine issue of material fact as to whether she made fraudulent statements. The Court affirmed the attorney fees granted to Allen and Jane, but vacated the attorney fees granted to Eileen.