

SUMMARY STATEMENT

Hoffman v. Bd. of Local Improvement Dist. No. 1101, Docket No. 43295/43628

In an appeal from Ada County, the Supreme Court affirmed the district court's grant of summary judgment in favor of the Board of the Local Improvement District No. 1101 and the Ada County Board of Commissioners (collectively "the Boards") and its denial of summary judgment in favor of Jeanette Hoffman, Don Thomas, Mari Thomas, Brian Nelson, Louise Luster, Lynda Snodgrass, Lance Hale, Monique Hale, Roxanne Metz, Al Thornton, Toni Thornton, Blair Hagerman, Darrin Hendricks, Leslie Curfman, Mike Zehner, Jose Franca, Karen Crosby, Chuck Boyer, and Kim Blough (collectively "Appellants"). Further, the Court affirmed the district court's award of attorney fees to the Boards pursuant to Idaho Code section 12-117(1).

The Supreme Court held that Appellants had misconstrued the application of Idaho's parol evidence rule and the district court did not err when it denied Appellants' motion for summary judgment based on a lack of meeting of the minds on the material terms of a Memorandum of Settlement. Because the Appellants had consented to the district court entering summary judgment in favor of the Boards if their motion was denied, the Supreme Court affirmed that decision. The Supreme Court further held the district court did not err when it awarded the Boards attorney fees pursuant to Idaho Code section 12-117(1) because the plain language of Idaho Code section 50-1718 does not preclude the application of other statutory sources of attorney fees and Appellants had pursued their appeal without a reasonable basis. The Court awarded attorney fees and costs to the Boards on appeal.