

## **SUMMARY STATEMENT**

*Visser v. Auto Alley, LLC*, Docket No. 43432

In an appeal from Bonner County, the Supreme Court affirmed the district court's order granting a writ of possession and quieting title to certain real property in Douglas Visser. Auto Alley, LLC, Calvin Visser, and Vicki Visser used a portion of the property to operate a wrecking yard business. In 2014 a dispute arose and the parties entered into stipulated judgment which provided that Douglas would convey a portion of the property known as "Lot 2" to Vicki if Vicki completely performed a number of specific obligations within a specified time frame. When Vicki failed to complete these obligations, Douglas brought this motion to enforce the judgment and the district court granted the motion. Vicki appealed arguing that the stipulated judgment was unenforceable as it contained a forfeiture provision and that Douglas had prevented her from complying with the judgment. The Supreme Court affirmed the district court's order determination that the appeal from the stipulated judgment was not properly before the Court. The Supreme Court also found that the district court's finding that Douglas had not prevented Vicki from complying with the stipulated judgment was supported by substantial and competent evidence.