

SUMMARY STATEMENT

McCall v. Silva Dairy, Docket No. 43547

In an appeal arising out of Twin Falls County, the Idaho Supreme Court affirmed the judgment of a district court. On appeal, Silva Dairy, LLC (“Silva Dairy”), argued that the district court erred by: (1) concluding that Silva Dairy had converted \$413,953 worth of McCall’s cattle feed; (2) holding Silva Dairy liable for McCall’s \$52,386.90 pasture rent claim; and (3) not awarding Silva Dairy attorney’s fees below. McCall countered, arguing that: (1) the district court’s conclusion that Silva Dairy had converted his feed was supported by substantial and competent evidence; and (2) the district court did not err in holding Silva Dairy liable for the pasture rent claim.

The Idaho Supreme Court: (1) affirmed the district court’s conclusion that Silva Dairy converted at least \$413,953 worth of McCall’s feed; (2) held that Silva Dairy failed to demonstrate that the district court abused its discretion by transferring the pasture rent liability to Silva Dairy; (3) affirmed the district court’s decision not to grant attorney’s fees to Silva Dairy below; and (4) awarded McCall costs and attorney’s fees on appeal.