

SUMMARY STATEMENT

Clarke v. Latimer, Docket No. 45012

This appeal arises from Michael and Sue Clarke's attempted recovery of earlier financial losses sustained due to the fraudulent investment practices of Zach Latimer. After obtaining a judgment against Latimer, the Clarkes filed a separate action against his wife, Holly Latimer, alleging that the Latimers engaged in transfers of funds that violated the Uniform Fraudulent Transfer Act, I.C. §§ 55-910 to 55-921. The district court found in favor of the Clarkes' claim after a bench trial but ruled that there was no prevailing party and denied the Clarkes' request for attorney's fees and costs. The court also ordered the Clarkes to file a partial satisfaction of judgment in their separate action against Zach and denied their post-trial motion for prejudgment interest. The Clarkes now challenge each of these determinations, and seek additional fees and costs for their appeal.