

SUMMARY STATEMENT

Medical Recovery Services, LLC v. Lopez, Docket No. 45019

Medical Recovery Services, LLC (“MRS”) appealed a district court’s judgment that denied its request for postjudgment attorney fees on an appeal. The dispute arose after MRS attempted to collect on a debt owed by Robert Lopez (“Lopez”). The magistrate court entered a default judgment and awarded attorney fees to MRS, but MRS continued to incur additional attorney fees while attempting to collect on the judgment. MRS filed a request to recover its postjudgment attorney fees, which the magistrate court denied. MRS appealed, and the district court reversed the magistrate court’s denial of postjudgment attorney fees, but declined to award MRS attorney fees related to its appeal of the magistrate court’s decision.

In a unanimous decision, the Idaho Supreme Court affirmed the district court’s judgment. Specifically, the Court found that MRS was attempting to collect attorney fees related to its previous attempt to collect attorney fees. The Court held that such an attempt was not supported by Idaho law and that the district court properly denied MRS’s request for attorney fees related to its appeal.