

SUMMARY STATEMENT

Bergeman v. Select Portfolio Servicing

Docket No. 45338

The Supreme Court affirmed the judgment of the Bonneville County district court dismissing Darin Bergeman's claims pursuant to Idaho Rule of Civil Procedure 12(b)(6) and declining to consolidate this case with an eviction case relating to the same property. The Court declined to address Bergeman's claims on appeal regarding the district court's dismissal of his claims because he did not support them with cogent argument or authority. The Court also found that Bergeman's failure to apply the abuse of discretion standard to the district court's decision to deny consolidation and his failure to demonstrate prejudice as a result of that decision were fatally deficient to his case. Finally, the Court awarded attorney fees against Bergeman's attorney as a sanction pursuant to Idaho Appellate Rule 11.2 because of his unwarranted attacks on the integrity of the district court and his conduct before the Court.