

SUMMARY STATEMENT

Estate of Ruth Birch v. Birch

Docket No. 45451

The Supreme Court reversed the judgment of the Bonneville County district court affirming the magistrate's award of attorney's fees against Birch. The Supreme Court held that the magistrate's award of attorney's fees, contained in a "Schedule of Distribution," responded to a premature memorandum of costs and did not comply with several requirements of Idaho Rule of Civil Procedure 54(e). Accordingly, the Supreme Court remanded for further proceedings. Neither party was awarded attorney's fees on appeal.