

SUMMARY STATEMENT

Monitor Finance, L.C. v. Wildlife Ridge Estates, LLC
Docket No. 45517

Monitor Finance, L.C., and First Capital Funding, L.C., (collectively referred to as the Beneficiaries) are the holders of a deed of trust, which encumbers the real property claimed to be owned in fee simple by Wildlife Ridge Estates, LLC (Wildlife LLC). Due to a purported default on the underlying debt, the Beneficiaries filed a judicial foreclosure action in district court to foreclose the deed of trust encumbering that property. The district court found Wildlife LLC's defenses and counterclaim were barred by *res judicata* and ultimately entered judgment in favor of the Beneficiaries. Wildlife LLC appealed the district court's adverse decision dismissing its affirmative defenses and counterclaim.

The Idaho Supreme Court affirmed the district court's decision, holding that: (1) Wildlife LLC's affirmative defenses and counterclaim were barred by *res judicata*; (2) the Beneficiaries' foreclosure action was not barred by the statute of limitations; (3) the Beneficiaries' foreclosure action was not barred by *res judicata*; and (4) the Beneficiaries are entitled to attorney's fees on appeal.