

SUMMARY STATEMENT

Regdab v. Graybill, Docket No. 45649

The Supreme Court held that Idaho Rule of Procedure 54(e)(4)(B)'s pleading requirement was not inconsistent with Idaho Code section 45-513, the provision which mandates an award of certain costs and reasonable attorney fees in mechanic's lien foreclosure actions. The plaintiff Regdab was required to plead a specific amount of attorney fees to be awarded in the event of default, which it failed to do. Because of this pleading deficiency, the Court vacated the default judgment and remanded this case with instruction to enter a default judgment consistent with this opinion.