

SUMMARY STATEMENT

Eller v. Idaho State Police
Docket Nos. 45698 & 45699

The Supreme Court affirmed in part and vacated in part a judgment entered in the district court. The Court affirmed the district court's evidentiary holdings and its finding that Eller participated in protected activities under the Whistleblower Act, but the Court vacated the district court's ruling capping Eller's damages under the Idaho Tort Claims Act. The Court held that the Whistleblower Act supplants the Idaho Tort Claims Act; thus, the district court incorrectly applied the Tort Claims Act and capped Eller's non-economic damages. The Court remanded the case for a partial new trial to determine Eller's non-economic damages solely under the Whistleblower Act.