

## **SUMMARY STATEMENT**

*Losee v. Deutsche Bank National Trust Company*

Docket No. 45721

Jerry and JoCarol Losee appealed the Bannock County district court's grant of summary judgment in favor of Deutsche Bank National Trust Company (Deutsche Bank). After the Losees defaulted on a home mortgage loan and Deutsche Bank attempted to foreclose, the Losees filed a complaint against Deutsche Bank alleging breach of contract, slander of title, wrongful foreclosure, and a request for declaratory judgment. Responding to Deutsche Bank's motion for summary judgment, the Losees submitted a "Chain of Title Analysis," which they claimed supported an affidavit previously submitted in the case. The district court determined the report was inadmissible hearsay and refused to consider it in ruling on the motion for summary judgment. The district court ultimately granted Deutsche Bank's motion for summary judgment. The Losees appealed, arguing that the district court erred in refusing to consider the "Chain of Title Analysis." The Idaho Supreme Court determined the "Chain of Title Analysis" was hearsay and therefore, the district court did not err in refusing to consider it on summary judgment. Thus, the Idaho Supreme Court affirmed the district court's judgment.