

## **SUMMARY STATEMENT**

*Nye v. Katsilometes*

Docket No. 45917

The Supreme Court reversed a Bannock County district court declaratory judgment awarding Nye attorney fees he incurred in defending his election to the Idaho Senate as a result of an election contest brought by Katsilometes. The district court also awarded Nye costs, litigation attorney fees, and prejudgment interest on the attorney fee award imposed by the Senate. The Court held that the statute in place at the time of the election contest (Idaho Code section 34-2120 (repealed)) did not provide for an award of attorney fees by the Senate, and therefore, the district court erred in entering the declaratory judgment in Nye's favor.