

SUMMARY STATEMENT

Berrett v. Clark County School District No. 161, Docket No. 46354

After their terminations, Ryan and Lanie Berrett (“the Berretts”) sued their former employer, Clark County School District No. 161 (the “School District”), alleging that both of their terminations were in retaliation for Ryan Berrett reporting a building code violation to the School District’s board of trustees. The district court granted the School District’s motion for summary judgment, finding that Ryan Berrett did not engage in a protected activity under the Whistleblower Act, and that Idaho’s public policy does not extend to protect Lanie Berrett in a termination in violation of public policy claim. The Supreme Court affirmed in part and reversed in part. The Court affirmed the district court’s order granting the School District summary judgment on Lanie Berrett’s wrongful termination claim, but reversed the district court’s order granting summary judgment on Ryan Berrett’s Whistleblower Act claim. The Court held that Lanie Berrett’s wrongful termination claim was precluded by the Whistleblower Act. Further, the Court held that Ryan Berrett presented genuine issues of material fact sufficient to prevent the district court from granting summary judgment on his Whistleblower Act claim.