

SUMMARY STATEMENT

Frantz v. Osborn, Docket No. 47286

The Supreme Court dismissed this appeal because the issues raised were moot. Jonathon Frantz appealed from the district court's award of attorney fees entered against him and his clients, jointly and severally, as a sanction for frivolous conduct. Frantz argued that the district court abused its discretion in awarding attorney fees against him personally because it (1) failed to follow the procedural requirements set out in Idaho Code section 12-123 and (2) erroneously found that he engaged in frivolous conduct. The Court dismissed the appeal as moot because the judgment awarding attorney fees had been satisfied by the execution of a settlement agreement, thereby failing to present a justiciable controversy for the Court to resolve.