

SUMMARY STATEMENT

Weitz v. Weitz
Case No. 47483

In an appeal arising out of Canyon County, the Idaho Supreme Court affirmed a district court order and judgment granting summary judgment in favor of David M. Weitz and John R. Tavares and declaring them the exclusive owners of Treasure Valley Manufacturing and Recycling, Inc., (TVM).

TVM is a closely held corporation started by Phil Weitz and his three sons—Daniel, David, and John Weitz—in 1987. Phil Weitz passed away in spring of 2013 and David was named personal representative of his estate. The brothers began to dispute over the Weitz family holdings, including ownership of TVM. After Daniel and John claimed ownership interests in TVM during the estate proceedings, David and Tavares brought a separate action asking the district court for a declaratory judgment granting them exclusive ownership of TVM’s shares—75% and 25% respectively. The district court granted summary judgment in favor of David and Tavares, reasoning that the record overwhelmingly supported their position and that Daniel and John had failed to provide any evidence to create a genuine issue of material fact regarding ownership of TVM.

On appeal, Daniel argued that David offered to purchase his shares of TVM in 2015, and that David purchased John’s shares in 2019, giving rise to a genuine issue of material fact that he had an ownership interest in TVM. The Idaho Supreme Court concluded that the district court did not err in granting summary judgment on the grounds that Daniel failed to establish a genuine issue of material fact regarding ownership of TVM. Specifically, the Court reasoned that Daniel had not provided any evidence to dispute evidence produced by David and Tavares that they became the exclusive owners of TVM in 1995. Accordingly, the Court affirmed the district court’s summary-judgment order and declaratory judgment granting exclusive ownership of TVM to David and Tavares.

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.