

SUMMARY STATEMENT

Severinsen v. Tueller, Docket No. 50261

The Idaho Supreme Court affirmed a district court's decision granting Respondents Thomas and Michelle Tuellers' motion for partial summary judgment and denying Appellant Aaron Severinsen's motion to amend. Severinsen argued that the Tuellers fraudulently induced his purchase of real property by making misrepresentations on the property disclosure form and property listing. The Court first noted that Severinsen failed to adequately challenge the district court's order granting the Tuellers' motion to dismiss Count I of Severinsen's complaint. As to Count II, the Idaho Supreme Court held that Severinsen failed to establish, through competent evidence, that he suffered damages due to the Tuellers' alleged fraud in the case. The Court also affirmed the district court's decision to deny Severinsen's motion for leave to amend his complaint because Severinsen did not identify or argue under the abuse of discretion standard implicated by a motion to amend. Finally, the Idaho Supreme Court affirmed the district court's determination to award attorney fees as a sanction against Severinsen's attorneys under section 12-123.

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