

SUMMARY STATEMENT

Litster v. Litster Frost

Docket No. 50339

This appeal and cross-appeal concern the enforceability and severability of an alleged employment agreement, unpaid wages, and a denial of a request for attorney fees. Four former employees (“Employees”) of Litster Frost Injury Lawyers (“LFIL”) filed suit against LFIL and its former sole shareholder Martha Frost, also known as Laurie Frost, (collectively “Litster Frost”) alleging that LFIL owes them compensation in the form of wages, bonuses, profit sharing, and other expenses incurred while employed.

The district court granted summary judgment in Litster Frost’s favor. First, the district court concluded that Employees’ claims for unpaid wages and unreimbursed expenses were time barred by the one-year statute of limitations set forth in Idaho Code section 45-614, part of the Idaho Wage Claim Act (“IWCA”). Second, the district court concluded that the written “Term Sheet” advanced by Employees as an employment contract was an unenforceable and nonseverable “agreement to agree.” Litster Frost subsequently requested an award of attorney fees under Idaho Code section 12-120(3). The district court rejected this request, concluding Idaho Code section 45-612 provided the exclusive remedy available to an employer for attorney fees when an employee has brought a claim for wages

Employees appealed Litster Frost cross-appealed and argued the district court erred in denying their request for attorney fees under section 12-120(3) following summary judgment.

The Idaho Supreme Court vacated the judgment of the district court and reversed its decisions in part. First, the Court reversed the district court’s decision granting summary judgment on Sarah Litster King’s claim for reimbursement because issues of material fact exist as to whether the claim fell within the ambit of section 45-614. However, the Court affirmed the district court’s grant of summary judgment in all other respects. Next, the Court reversed the district court’s denial of Litster Frost’s request for attorney fees under Idaho Code section 12-120(3), holding the district court did not apply the correct legal standard applicable to its decision based on statutory revisions to the wage claim statutes. The Court remanded the case for further proceedings consistent with its opinion.

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