

## **SUMMARY STATEMENT**

*Lanningham v. Farm Bureau Mutual Insurance Company of Idaho*  
Docket No. 50441

This case concerns an insurance company's denial of a claim for underinsured motorist (UIM) coverage to the adult heirs of Jay Lanningham, who died in a tragic car accident caused by an underinsured motorist. Mr. Lanningham had an insurance policy with Farm Bureau Mutual Insurance Company of Idaho that included UIM coverage. Farm Bureau denied payment to Mr. Lanningham's sons, Jamie and Jeremy because they did not live with their father and did not qualify as insured under the insurance policy. As individuals and personal representatives of their father's estate, Jamie and Jeremy brought an action against Farm Bureau for declaratory judgment and breach of contract. On cross-motions for summary judgment, the district court granted summary judgment in Farm Bureau's favor, citing *Farm Bureau Mut. Ins. Co. of Idaho v. Eisenman*, 153 Idaho 549, 286 P.3d 185 (2012) as controlling precedent.

On appeal, Jamie and Jeremy argued that the district court erred by (1) interpreting Idaho Code sections 41-2502 and 49-1212(12) to allow Farm Bureau to deny UIM coverage to Mr. Lanningham and his family for his wrongful death; (2) concluding the Idaho Legislature did not intend to protect the heirs and estates of wrongful death victims when it passed mandatory insurance laws; and (3) relying on *Eisenman* as controlling precedent.

The Idaho Supreme Court affirmed the district court's decision to grant summary judgment in favor of Farm Bureau. The Court held that Jamie and Jeremy, as non-insured heirs, cannot recover UIM benefits under the plain language of the insurance policy and Idaho Code section 41-2502. The Court further held that the insurance policy did not run afoul of Idaho Code section 49-1212(12) and the public policy, which prohibits reduced coverage for family members. Finally, Mr. Lanningham's estate cannot claim wrongful death benefits from the insurance policy's UIM provision under *Eisenman*.

**\*\*\* This summary constitutes no part of the Court's opinion. It has been prepared by court staff for the convenience of the public. \*\*\***