

## SUMMARY STATEMENT

*Davis v. Blast*, Docket No. 50491

This case involved a certified question of law pertaining to punitive damages under Idaho Code section 6-1404(2). Section 6-1604(2) provides that a party may amend its pleadings to include a prayer for relief seeking punitive damages if the court concludes, “after weighing the evidence presented,” that the moving party has established “a reasonable likelihood of proving facts at trial sufficient to support an award of punitive damages.” The Idaho Supreme Court answered the following question:

What is the proper means for a trial court to comply with its obligations under Idaho Code section 6-1604(2) when ruling upon a motion to amend a complaint or counterclaim to include a prayer for relief seeking punitive damages?

The Court explained that, when read in context, the “weighing the evidence” language contained in Idaho Code section 6-1604(2) requires a trial court to determine both the admissibility, as guided by rules of evidence, and the sufficiency of the evidence submitted by the moving party. The Court further explained that the word “sufficient” means the claim giving rise to the request for punitive damages must be legally cognizable and the evidence presented must be substantial.

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