

BOISE, THURSDAY, SEPTEMBER 12, 2024, 10:30 A.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50831

GLENN STOUT, an individual,)
)
 Plaintiff-Appellant,)
)
 v.)
)
 NATIONAL ADMINISTRATIVE)
 SERVICE COMPANY, LLC;)
 AMERICAN BANKERS INSURANCE)
 COMPANY OF FLORIDA; and)
 DRIVER’S PROTECTION, LLC,)
)
 Defendants-Respondents,)
)
 and)
)
 DRIVER’S PROTECTION, LLC.,)
)
 Defendant.)
)

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. Cynthia K.C. Meyer, District Judge.

Madsen Law Offices, P.C.; Henry D. Madsen, Coeur d’Alene, for appellant.

Smith & Malek, PLLC; Tara Malek, Coeur d’Alene, for respondents.

Glenn Stout appeals from the judgment dismissing his complaint against National Administrative Services Company, LLC (NASC) and American Bankers Insurance Company of Florida (American Bankers) and dismissing NASC’s counterclaim. Stout purchased a 2008 Dodge Viper, at which time he also purchased a service contract which covered certain specified issues that may arise with the vehicle. NASC was the service contract provider and also provided administrative services for the service contract. American Bankers underwrote the coverage provided by the service contract. The vehicle sustained damage to the engine and was taken to a repair shop. It was determined that a rod-bearing failure had occurred in the engine requiring the engine assembly be repaired or replaced. Stout discussed his intent to install a replacement engine with NASC. Ultimately, NASC authorized a short-block rebuild of the engine and 36.8 hours of

labor costs totaling \$7,575.45. Stout purchased a replacement engine and had it installed. NASC refused to cover the costs associated with the engine replacement.

Stout filed a complaint on July 1, 2020, bringing causes of action for breach of contract against NASC and American Bankers as well as a cause of action for bad faith and fair dealing against NASC. NASC counterclaimed for breach of contract against Stout. Following a bench trial, the district court found that Stout had failed to prove NASC or American Bankers had breached their contract or acted in bad faith. The district court dismissed NASC's counterclaim finding NASC had failed to prove Stout committed breach of contract. Stout appeals.