SUMMARY STATEMENT
Rupp v. City of Pocatello
Docket No. 51056-2023

This case concerns a dispute over undeveloped real property and whether the district court properly granted summary judgment in light of the parties' ongoing discovery disputes. The Harold L. Rupp Sr. Trust and the Veda J. Rupp Revocable Living Trust (collectively "the Trusts") filed a complaint for declaratory and monetary relief against the City of Pocatello and then-mayor Brian Blad; Millennial Development Partners, LLC, and its member and manager Arvil B. Swaney; and Portneuf Development, LLC, Portneuf Builders, LLC, and their member and manager Ken Pape (referred to collectively as "Respondents"). The Trusts raised claims related to a land development project. Respondents moved for summary judgment. The Trusts filed two motions to continue the proceedings to allow them to complete additional discovery. The district court denied both motions. The Trusts then filed a late response to the motions for summary judgment, which the district court declined to consider. The district court then granted Respondents' motions for summary judgment, dismissed the case with prejudice, and awarded attorney fees to Respondents. The Trusts appealed.

The Idaho Supreme Court affirmed the district court's denial of the Trusts' motions to continue because the Trusts failed to demonstrate that the district court abused its discretion. The Court held that the Trusts failed to demonstrate with specificity the reasons why they could not present essential facts to oppose summary judgment in the provided timeframe. Additionally, the Court held that the Trusts failed to demonstrate that they had diligently pursued discovery.

Next, the Court reversed and remanded the district court's grant of summary judgment. The Court concluded that the district court failed to analyze Respondents' motions for summary judgment, did not permit the Trusts the opportunity to argue in opposition to the summary judgment motions, and may have granted summary judgment as a sanction against the Trusts without considering the appropriate factors. The Court reversed the district court's grant of summary judgment, vacated its judgment dismissing the amended complaint, vacated its award of attorney fees to Respondents, and remanded the case for further proceedings consistent with the Court's opinion.