

SUMMARY STATEMENT

Monson v. Monson

Docket No. 51838-2024

This appeal involves a dispute between siblings Ryan and Nancy Monson over the administration of their late father Hal's estate and his ownership interest in Tautphaus Park Storage, LLC (TPS), founded by Hal. Nancy, an attorney, was Hal's lawyer and power of attorney, and later the personal representative of his estate. The dispute centers on whether Hal's ownership interest in TPS remained an estate asset at his death, or if Nancy acquired it before he died through a series of contested amendments to the company's operating agreement. After Hal's death, Nancy made further amendments, which purported to be retroactively effective, shifting ownership to herself and recasting Hal's initial capital as a loan that was declared repaid.

Ryan challenged Nancy's actions in both probate court and a separate Trust and Estate Dispute Resolution Act (TEDRA) action. He alleged four causes of action against Nancy, personally and in her capacity as personal representative, for breach of fiduciary duty, fraud, and seeking a judicial determination of estate assets and the appointment of a receiver. The litigation was complicated by overlapping probate and TEDRA proceedings, frequent disputes over access to TPS's records, and changes in court assignments. Nancy resisted disclosure of TPS documents and was evasive in deposition and discovery, while Ryan sought to establish that TPS, and proceeds from its eventual \$3 million asset sale, should be considered part of Hal's estate. The magistrate and district courts incrementally dismissed Ryan's claims against Nancy, personally and in her capacity as personal representative, and dismissed TPS and Nancy as parties.

On appeal, the Idaho Supreme Court reversed the district court's order granting Nancy's motion to dismiss and motion for summary judgment and denying Ryan's motion for reconsideration and motion for partial summary judgment. The Court explained that TEDRA gives broad supplemental authority to resolve estate and nonprobate asset disputes in a single action, which may be consolidated with an existing case or proceed in a separate action. The Court held that the district court erred in dismissing Ryan's claims for judicial determination of estate assets and for breach of fiduciary duty because the claims fall within scope of TEDRA.

In addition, the Court reversed the magistrate court's orders, which dismissed TPS and Nancy as parties. The Court held that the magistrate court erred in dismissing TPS and Nancy as parties because, under Idaho Rule of Civil Procedure 19, Nancy is a necessary party to the TEDRA case due to her personal claims to TPS assets, and TPS is properly joined as a nominal party.

The Court vacated the judgments of the magistrate and district courts and remanded the case for further proceedings.

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