

SUMMARY STATEMENT

Wolford v. Montee

Docket Nos. 42719/43007

The Idaho Supreme Court affirmed in part and vacated and remanded in part the Kootenai County District Court's grant of summary judgment in favor of Respondent, Robert Wolford. The Court held that a 2009 promissory note between Wolford, as lender, and Shawn Montee, as borrower, was clear and unambiguous on its face. Thus, the district court did not err in granting summary judgment on the 2009 Note. However, the Court held that a 2010 promissory note was ambiguous because it was unclear how interest on the note should be calculated. Consequently, summary judgment on the 2010 Note was vacated and the Court remanded for a determination of the parties intent regarding the interest due on the 2010 Note. The Court also held that the judgment for the 2010 Note improperly included principal when by its plain terms the 2010 Note only included interest.