

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

<b>TRICORE INVESTMENTS, LLC, an</b>	)	
<b>Idaho limited liability company,</b>	)	
	)	
<b>Plaintiff-Respondent/</b>	)	
<b>Cross-Appellant,</b>	)	
	)	
<b>v.</b>	)	<b>Docket No. 46913</b>
	)	
<b>TODD BRINKMEYER, an individual,</b>	)	
	)	
<b>Defendant-Appellant/</b>	)	
<b>Cross-Respondent,</b>	)	
	)	
<b>and</b>	)	
	)	
<b>THE ESTATE OF FRANCES ELAINE</b>	)	
<b>WARREN, deceased, acting through the</b>	)	
<b>Court-Appointed Co-Personal</b>	)	
<b>Representatives, DANIEL ROBERT</b>	)	
<b>WARREN and CHRISTOPHER GEORGE</b>	)	
<b>WARREN; PLBM, LLC, an Idaho limited</b>	)	
<b>liability company; and JOHN STOCKON,</b>	)	
<b>an individual,</b>	)	
	)	
<b>Defendants.</b>	)	

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Appeal from the District Court of the First Judicial District of the State of Idaho, Bonner County. Barbara A. Buchanan, District Judge.

Lukins & Annis, P.S., Spokane, Washington and Stoel Rives, LLP, Boise, Idaho, attorneys for Appellant/Cross-Respondent.

Roberts Freebourn, PLLC, Spokane, Washington and Featherston Law Firm, Sandpoint, Idaho, attorneys for Respondent/Cross-Appellant.

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The Estate of Frances Elaine Warren (“Estate”), through its personal representatives Chris and Dan Warren, entered into a purchase and sale agreement with Tricore Investments, LLC (“Tricore”) for real property near Priest Lake in Bonner County, Idaho. Before the sale with Tricore closed, the Estate sold the real property to John Stockton and Todd Brinkmeyer. Tricore filed a complaint against the Estate, Stockton and Brinkmeyer. There, Tricore asserted Brinkmeyer tortiously interfered with the contract between the Estate and Tricore and that Brinkmeyer, with the Estate and Stockton, engaged in a civil conspiracy. The district court

agreed. As such, the district court held Brinkmeyer jointly and severally liable for attorney fees and costs. The district court stayed enforcement of the judgment pending appeal and thus required the Estate, Stockton and Brinkmeyer to post a supersedeas bond in the amount of \$672,426.30 and an additional \$362,069.61 to compensate Tricore for loss of use of the property during the appeal process.

Brinkmeyer appeals, arguing the district court erred in finding he tortiously interfered with the contract between the Estate and Tricore and that he engaged in a civil conspiracy. Brinkmeyer also argues the district court erred in awarding fees and costs against him and in setting a supersedeas bond to compensate Tricore for its loss of use of the property during the appeal process. Tricore cross-appeals, arguing the district court erred in failing to award damages for Brinkmeyer's tortious interference.