

BOISE, IDAHO, SEPTEMBER 28, 2023, AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

**LAURA MILUS, in her individual capacity)
and as Guardian of the Minor Child Plaintiff,)
D.L.J.,)
)
Plaintiff-Appellant,)
)
v.)
)
SUN VALLEY COMPANY, a Wyoming)
corporation,)
)
Defendant-Respondent.)**

Docket No. 49693-2022

Appeal from the District Court of the Fifth Judicial District of the State of Idaho,
Blaine County. Ned C. Williamson, District Judge.

Rossman Law Group, PLLC, Boise, for Plaintiff-Appellant.

Lake City Law Group PLLC, Coeur d’Alene, for Defendant-Respondent.

This case concerns the interpretation of Idaho Code section 6-1103(2) and (6) concerning the liability of ski areas after a ski accident. Appellant Laura Milus, on behalf of herself and her minor son D.L.J., brought a wrongful death action against Respondent Sun Valley Company after her husband, Stewart Milus, died from colliding with snowmaking equipment located on the Lower River Run on Bald Mountain of the Sun Valley Ski Resort.

Sun Valley Company moved for summary judgment on Milus’s claims. The district court granted the motion, holding that Sun Valley Company fulfilled its duty under Idaho Code section 6-1103(2) to mark snowmaking equipment and did not have any duty under Idaho Code section 6-1103(6) to place a notice at the top of the trail where the decedent struck the snowmaking equipment because the snowmaking equipment was not actively discharging snow.

Milus appeals the district court’s decision, arguing that the district court misinterpreted the language of section 6-1103(2) and (6) and incorrectly ruled on questions of fact that should have been reserved for a jury.