

BOISE, WEDNESDAY, FEBRUARY 7, 2024 AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

SAFARIS UNLIMITED, LLC, a limited)	
liability company, as substituted party of)	Docket Nos. 50096 &50097
interest,)	
)	
Plaintiff-Counterdefendant-)	
Respondent,)	
)	
and)	
)	
MIKE JONES,)	
)	
Plaintiff-Counterdefendant-)	
Appellant,)	
)	
v.)	
)	
JEREMY SLIGAR, an individual; and)	
OVERTIME GARAGE, LLC, an Idaho)	
limited liability company,)	
)	
Defendants-Counterclaimants-)	
Respondents.)	
)	
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MIKE JONES, an individual,)	
)	
Plaintiff-Appellant-)	
Cross Respondent,)	
)	
v.)	
)	
JEREMY SLIGAR, an individual; and)	
OVERTIME GARAGE, LLC, a defunct Idaho))	
limited liability company,)	
)	
Defendants-Respondents-)	
Cross Appellants.)	
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Appeal from the District Court of the Fifth Judicial District, State of Idaho, Twin Falls County. Jonathan P. Brody & Eric J. Wildman District Judges.

Johnson May, Boise, for Appellant/Cross-Respondent, Mike Jones.

Hepworth Law Offices, Boise, for Respondents/Cross-Appellants Jeremy Sligar and Overtime Garage, LLC.

Stover Gadd & Associates, Twin Falls, for Respondent Safaris Unlimited LLC.

This consolidated appeal arises from the dissolution of a joint business venture and a breach of contract claim between the parties. In this appeal, Jones challenges the district court's denial of his motion to set aside judgment and order in a 2016 case against Jeremy Sligar and Overtime Garage, LLC on the basis that he did not have notice of the consolidation of his small claims cases into the 2016 case, that Safaris Unlimited, Sligar, and Overtime Garage engaged in fraud, misconduct, or misrepresentation to the district court, and that he is entitled to relief from the stipulated dismissal of the case. Alternatively, Jones claims that the language in the judgment of dismissal is overly broad, and he seeks an amendment of the order.

Jones also challenges the district court's granting of summary judgment to Sligar and Overtime Garage and Safaris Unlimited after the district court ruled that *res judicata* prohibited Jones from seeking an accounting of the joint business. Jones argues on appeal that an accounting did not occur in the earlier litigation and that his request is not barred by *res judicata*.

Sligar and Overtime Garage have filed a cross appeal, arguing that the district court abused its discretion when it awarded attorney fees against Jones and not jointly against his counsel in the 2022 case. Sligar and Overtime Garage argue that the award of attorney fees in the 2022 case is inconsistent with finding that Jones' 2022 case was frivolous, and that the award is inconsistent with the award of attorney fees in the earlier litigation.

Both parties seek an award of attorney fees and costs on appeal.