

BOISE, FEBRUARY 13, 2026, AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

**KIRK HARTMAN, individually, and as)
surviving spouse of Sheri Hartman; KIRK)
HARTMAN, as Personal Representative of)
the Estate of Sheri Hartman; ASHLEY)
HARTMAN ROBERTS, adult daughter of)
Sheri Hartman, deceased; JORDAN)
HARTMAN, adult son of Sheri Hartman,)
deceased; JOSH HARTMAN, adult son of)
Sheri Hartman, deceased,)**

Plaintiffs-Appellants,)

v.)

Docket No. 52101

**POCATELLO HOSPITAL, LLC, a Delaware)
limited liability company dba PORTNEUF)
MEDICAL CENTER, LLC; DR. AMBER)
SCHROEDER, P.A.; DR. WILLIS)
PARMLEY, ROCKY MOUNTAIN)
PHYSICIAN GROUP, LLC; DR. STEPHEN)
HANSEN, IDAHO SPORTS AND SPINE,)
LLC,)**

Defendant-Respondents.)

Appeal from the District Court of the Sixth Judicial District of the State of Idaho, Bannock County. Rick Carnaroli, District Judge.

Barton Atkinson & Murdoch, P.C., Rexburg and DeFriez Law, Caldwell, for Appellants.

Hawley Troxell Ennis & Hawley, LLP, Pocatello, Tolman Brizee & Cannon, PC, Twin Falls, and Quane McColl Metz, PLLC, Boise, for Respondents.

In this medical malpractice action, the Hartman family appeals from an order of the district court striking the testimony of the Hartmans' medical experts and granting summary judgment in favor of Portneuf Medical Center, Amber Schroeder, PA, Dr. Willis Parmley, Rocky Mountain Physician Group, Dr. Stephen Hansen, and Idaho Sports and Spine. The medical providers were involved in the treatment of Kirk Hartman's late wife, Sheri Hartman, who passed away due to an

overdose of fentanyl delivered over the course of several days through a series of transdermal patches prescribed to Mrs. Hartman to treat pain related to a disc protrusion in her lower back.

The Hartmans asserted medical malpractice and informed consent claims against the medical providers, alleging that they negligently prescribed Mrs. Hartman fentanyl patches, resulting in her death. To support those claims, the Hartmans offered the testimony of out-of-state medical experts, who relied on the deposition testimony of Dr. Parmley, one of the named defendants, to familiarize themselves with the local standard of care in Pocatello, Idaho, where the medical providers prescribed and/or applied the fentanyl patches. The Hartmans declined to disclose any local standard of care consultants prior to the district court's disclosure deadline set forth in its scheduling order. When they eventually disclosed local standard of care consultants, the Hartmans further declined to fully disclose the identities of their experts. The medical providers moved to strike the Hartmans' expert testimony, arguing that their disclosures were untimely and incomplete under the district court's scheduling order and the Idaho Rules of Civil Procedure. The district court agreed and struck the Hartmans' expert testimony entirely. It later granted summary judgment to the medical providers based on the Hartmans' inability to offer the requisite evidence to support their claims.

On appeal, the Hartmans argue that the district court abused its discretion in striking their expert testimony because it failed to consider whether the Hartmans' experts could rely on Dr. Parmley's deposition testimony about the standard of care in Pocatello, Idaho, in lieu of local standard of care consultants. The Hartmans also argue that the district court misapplied Idaho's wrongful death statute and that its alleged errors were not harmless.