

SUMMARY STATEMENT

Tricore v. Estate of Warren, Stockton, and Brinkmeyer, Docket Nos. 46912 & 46913

This case presented numerous issues arising from a land sale contract between Tricore Investments, LLC (“Tricore”) and the Estate of Frances Elaine Warren (“Estate”) and a subsequent land sale contract between the Estate, John Stockton, and Todd Brinkmeyer. The Estate and Stockton jointly appealed, alleging numerous errors. Todd Brinkmeyer appealed separately, asserting an additional error. Tricore cross-appealed. The Idaho Supreme Court consolidated the Estate and Stockton’s appeal with Brinkmeyer’s appeal.

As to the merits, the Court affirmed the district court’s grant of summary judgment for Tricore on the Estate’s statute of frauds defense. The Court also affirmed the district court’s findings that: 1) the Estate breached the contract between the Estate and Tricore; 2) the Estate violated the Idaho Consumer Protection Act (“ICPA”); and 3) Stockton and Brinkmeyer tortiously interfered with the contract between the Estate and Tricore.

The Court reversed the district court’s finding that the Estate, Stockton, and Brinkmeyer engaged in a civil conspiracy. As a result, the Court affirmed the district court’s attorney fee award only as it applied to the Estate and remanded for the district court to apportion fees against the Estate from fees against Stockton and Brinkmeyer. The Court also reversed the district court’s requirement that the Estate, Stockton, and Brinkmeyer post an additional supersedeas bond in the amount of \$362,069.61.

On cross-appeal, the Court affirmed the district court’s finding that Tricore is not entitled to monetary damages on the tortious interference claim. However, the Court reversed the district court’s finding that Tricore is not entitled to monetary damages for the Estate’s violation of the ICPA and held Tricore is entitled to \$1,000 in damages pursuant to Idaho Code section 48-608(1).

The Court awarded attorney fees and costs on appeal to Tricore against the Estate only.

******This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.******