

SUMMARY STATEMENT

Hawes v. Western Pacific Timber

Docket No. 47133

In 2017, Western Pacific Timber, LLC (WPT), terminated its employment of Andrew Hawes. Hawes requested severance pay in the amount of \$500,000, based on an oral agreement purportedly reached with Timothy Blixseth (Blixseth), the former sole manager of WPT. When WPT refused to pay this amount, Hawes filed suit. At trial, the jury returned a verdict awarding Hawes the full amount of severance requested; pursuant to Idaho Code section 45-615(2), the district court trebled the jury's award and entered judgment against WPT. The district court also awarded Hawes his contingent attorney fees based on the trebled jury award. WPT appealed.

The Idaho Supreme Court affirmed the judgment of the district court in its entirety, holding first that the district court did not err in denying WPT's motion for a directed verdict. Second, the Court held that substantial and competent evidence supported the jury's special verdict. Third, the Court held that the district court did not abuse its discretion in allowing Hawes to testify regarding Blixseth's statements under I.R.E. 801(d)(2)(D). Fourth, the Court affirmed the district court's decision to deny a new trial because WPT failed to properly preserve an objection regarding a particular jury instruction. Fifth, the Court held that the district court did not abuse its discretion in awarding attorney fees based on Idaho Code section 45-615(2) and Hawes' contract with his attorneys. Finally, the Court declined to award attorney fees on appeal, but awarded Hawes his costs.

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