

SUMMARY STATEMENT

Off-Spec Solutions, LLC v. Transportation Investors, LLC
Docket No. 47940

This appeal concerns the enforceability of the choice-of-forum provisions in two agreements governed by California law—a purchase agreement and an LLC agreement. The questions presented are: (1) whether a forum selection clause is unenforceable under California law if enforcement would contravene a strong public policy of the forum where suit is brought; and, if yes, then (2) whether the choice-of-forum provisions at issue must be invalidated based on the public policy set forth in Idaho Code section 29-110(1).

The Idaho Supreme Court held that: (1) California law requires an examination of the public policy of the forum in which suit is brought; and (2) the forum selection clauses at issue are invalid because they violate the strong public policy of the State of Idaho. Thus, the Court affirmed the district court's ruling that claims arising from the two agreements must be arbitrated in Idaho utilizing California law. The Court awarded attorney fees and costs to respondents Christopher Salvador and Daniel Salvador.

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