

SUMMARY STATEMENT

Nelsen v. Nelsen, Docket No. 47950

This appeal arises from a family dispute concerning ownership interests in Nelsen Farms, LLC (“LLC”). The LLC, as originally formed, included the parents, Jack H. Nelsen (“Jack H.”) and Joan Nelsen (“Joan”) and their two sons, Jack S. and Jonathan, who each held a 30% ownership share. However, in 2015, Jack H. and Joan modified their estate plan to transfer their interests in the LLC to their son, Jonathan, in their wills. In 2017, Jack H. and Joan again altered their plans and decided to pass their interests in the LLC to Jonathan via an immediate transfer, rather than through their wills. In August 2017, members of the LLC held a special meeting, during which the transfer of Jack H. and Joan’s membership interest to Jonathan was approved. The next month, Jack S., Emily Nelsen, (Jack’s wife), Matthew Nelsen, (Jack S. and Emily’s son) and Janice Lehman (Jack S.’s sister) (collectively “Appellants”), filed a complaint against Jack H., Joan, and Jonathan (collectively “Respondents”), alleging Jack H. and Joan were incompetent and lacked testamentary capacity to modify their 2015 wills and to make the 2017 conveyance. Appellants also alleged Jonathan unduly influenced Jack H. and Joan to obtain the estate modification. Appellants amended their complaint in October 2017, adding a claim for dissolution of the LLC. The district court entered several interlocutory decisions and orders during the case. Ultimately, in November 2019, the district court granted summary judgment to Respondents and dismissed all of Appellants’ claims. Appellants timely appealed.

The Idaho Supreme Court affirmed the district court’s decision to grant summary judgment on all but one count. The Court reversed the district court’s decision to enter a judicial decree dissolving Nelsen Farms, LLC, and reinstated Jack S. and Matthew as members of the LLC. Additionally, the Court declined to adopt a new tort for intentional interference with an expected inheritance.

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