

SUMMARY STATEMENT

Farber v. State Insurance Fund, 38140

The Supreme Court overruled *Hayden Lake Fire Prot. Dist. v. Alcorn*, 141 Idaho 388, 403, 111 P.3d 73, 88 (2005), holding that where statutory language is incorporated into the contract between the State Insurance Fund and its insureds and no claim to enforce that language would exist but for that contract, the I.C. § 5-216 five-year statute of limitation for actions upon contracts applies. The Court thus reversed the district court's grant of summary judgment dismissing the claims of some class members as barred by the I.C. § 5-218(1) three-year statute of limitation and remanded for further proceedings.