

SUMMARY STATEMENT

Hull v. Giesler, Docket No. 41306

The Idaho Supreme Court affirmed in part, vacated in part, and remanded the Twin Falls County district court's judgment declaring the rights and obligations on a contract. This case arose out of several oral and written agreements between Richard Giesler and Idaho Trust Deeds, LLC (collectively "Giesler"), and Gregory Hull that related to purchasing and subdividing property. After a bench trial, the district court found that Hull sold the property to Giesler, but the parties had a later oral contract where Hull promised to pay off Giesler's loans in exchange for half of the subdivision's net profits. The district court held that neither party materially breached the contract and ordered Hull to timely pay Giesler's loans and Giesler to complete the subdivision within certain deadlines. The Court vacated portions of the district court's decision: (1) the conversion payment of half the irrigation equipment's value; (2) the deadlines for completing Parcels 2 and 3; and (3) the provisions that order consequences to encourage performance under the contract. The Court affirmed the remainder of the court's judgment and remanded to the district court to enter orders or conduct further proceedings consistent with this opinion. No attorneys fees or costs.