

BOISE, WEDNESDAY, MAY 13, 2026, AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

KAREN MARIE GRAHAM,)	
)	
Plaintiff-Appellant,)	Docket No. 52585
)	
v.)	
)	
STOPPELLO LAW, PLLC, and)	
F. MATTHEW STOPPELLO, attorney,)	
)	
Defendants-Respondents.)	
)	

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Jonathan Medema, District Judge.

Clark & Associates, Attorneys, Boise, for Appellant.

Brassey Crawford, PLLC, Boise, for Respondents.

Karen Marie Graham appeals the district court’s grant of summary judgment against her, which dismissed her claims for legal malpractice and fraud in the inducement against her former divorce attorney. Graham additionally challenges the district court’s assessment of costs and attorney fees against her pursuant to Idaho Code section 12-121.

Graham brought suit against F. Matthew Stoppello and Stoppello Law, PLLC (“the Firm”) for negligent representation of Graham in her divorce proceedings. Graham alleged that the property and debt schedule Stoppello presented to the divorce court as the parties’ settlement agreement was inaccurate because it: (1) included terms that Graham had not agreed to; and (2) omitted terms to which she had agreed. She asserted that Stoppello’s actions deprived her of a fair and equitable property distribution and constituted legal malpractice. Graham’s second count pleaded a fraudulent inducement claim based on her assertion that Stoppello falsely represented to her that he was competent to take “complex” divorce cases.

Graham retained an expert attorney witness to support her malpractice claim. Stoppello and the Firm moved to exclude Graham’s expert witness and also moved for summary judgment on Graham’s claims. The district court granted the motion to exclude Graham’s expert after concluding the testimony would not aid the fact finder and it lacked the necessary foundation under Idaho Rule of Evidence 702. The district court also granted the motion for summary judgment on Graham’s negligence claim after concluding that, in the absence of expert testimony, Graham could not prove her malpractice claim. The district court additionally granted summary judgment on Graham’s fraudulent inducement claim after concluding that Stoppello’s representation of competency was an opinion, rather than a statement of fact, and therefore could not constitute a false representation.

Graham thereafter filed a motion for reconsideration. Graham submitted a supplemental expert disclosure and a variety of exhibits in support of her motion for reconsideration. Stoppello and the Firm responded, arguing Graham's supplemental expert disclosure was not timely and the additional evidence she offered was not admissible. The district court agreed and denied the motion for reconsideration. The district court also assessed costs and fees against Graham pursuant to Idaho Code section 12-121 after concluding that Graham's suit was frivolous and without foundation.

Graham appeals the district court's decisions: (1) excluding her expert witness, (2) granting summary judgment, (3) denying reconsideration, and (4) awarding attorney fees. Graham argues the district court erred when it excluded her expert witness because it applied the wrong legal standard. Graham argues the district court erred in granting summary judgment on the malpractice claim because there was a genuine dispute of material fact regarding whether Stoppello breached a standard of care and caused her damages. Similarly, she asserts the district court erred in granting summary judgment on the fraud claim because there were genuine disputes of material fact regarding whether Stoppello was competent to take her divorce case. Graham also argues the district court erred when it refused to consider the additional evidence she provided in support of her motion for reconsideration and denied her motion. Finally, Graham contends the district court erred when it awarded costs and fees to Stoppello and the Firm.