

1 Jeremy L. Bass, Perforce Pro Se  
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6

7 IN THE DISTRICT COURT FOR THE SECOND JUDICIAL DISTRICT  
8 FOR THE STATE OF IDAHO, IN AND FOR NEZ PERCE COUNTY

DPW Enterprises LLC and Mountain Prime 2018  
LLC,

Plaintiff,

vs.

Jeremy L. Bass, Dwayne Pike, and Current  
occupant, and Unknown Parties in  
Possession of the real property commonly  
known as 1515 21<sup>st</sup> Avenue, Lewiston,  
Idaho 83501

Defendants.

Case No. CV35-24-1063

**MOTION FOR RECONSIDERATION**

**DEMAND FOR JURY**

9 COMES NOW the Defendant Jeremy L. Bass, (hereinafter "Defendant Bass"), Perforce Pro Se,  
10 and hereby submit to the Honorable Court's a *MOTION FOR RECONSIDERATION* and moves this  
11 Court for reconsideration of its interlocutory order granting summary judgment in favor of  
12 Plaintiffs on November 5<sup>th</sup> 2024, pursuant to *Idaho Rule of Civil Procedure 11.2(b)*. This motion is  
13 supported by the following:

14 **I. Grounds for Reconsideration**

15 1. Misinterpretation of *Idaho Code § 45-1508*:

- 16 • The summary judgment decision failed to fully interpret the requirements of "good faith  
17 for value" under *Idaho Code § 45-1508*. The statute protects foreclosure purchasers only  
18 when they act in good faith and for value, not under collusive or unfair conditions.
- 19 • The case of *Baker v. Nationstar Mortg., 574 B.R. 184 (Bankr. D. Idaho 2017)* clarifies that  
20 these protections are invalid where foreclosure sales lack evidence of default or violate  
21 procedural fairness, directly supporting Defendant's argument.

22 2. Failure to Consider Material Disputes of Fact:

- 23 • Defendant's responses addressing Sections C, D, and E of *PLAINTIFFS' REPLY*

24 *MEMORANDUM IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AS AGAINST*

FILED

2024 NOV -6 P 3:05

PATTY O. WEEKS  
CLERK OF THE DIST COURT  
DIANE ASH

1        **DEFENDANT JEREMY L. BASS** through filings titled **DEFENDANT'S RESPONSE TO**  
2        **PLAINTIFF'S ALLEGATIONS IN SECTION C, DEFENDANT'S RESPONSE TO PLAINTIFF'S**  
3        **ALLEGATIONS IN SECTION D, and DEFENDANT'S RESPONSE TO PLAINTIFF'S ALLEGATIONS**  
4        **IN SECTION E**, were submitted within a limited timeframe due to service by Plaintiffs  
5        occurring some time mid-day on Sunday, the 20<sup>th</sup> of October 2024 leaving only Monday  
6        to put together any manor of filing while determining the correct path to respond before  
7        the hearing on Tuesday, the 22<sup>nd</sup> of October 2024. These responses were rejected without  
8        proper review despite raising significant procedural questions regarding notice and  
9        procedural integrity.

- 10       • Evidence in Section D, for example, indicates Plaintiffs failed to provide verified proof of  
11       notice, an essential requirement under Idaho law. Additionally, Section C highlights  
12       evidence of pre-auction collusion, which undermines the validity of Plaintiffs' claim as  
13       bona fide purchasers.

14       3. Prejudice to Defendant and Manifest Injustice:

- 15       • Proceeding on the basis of this order deprives Defendant of a fair opportunity to  
16       address issues essential to his property rights. The current judgment disregards  
17       statutory requirements that safeguard due process in trustee sales.

18       **II. Procedural Grounds for Filing**

19       The right to file a Motion for Reconsideration in Idaho courts is directly authorized by the  
20       *Idaho Rules of Civil Procedure 11.2(b)*.

- 21       • *Idaho Rule of Civil Procedure 11.2(b)* (Motion for Reconsideration):
  - 22       ○ Provision: *IRCP 11.2(b)* explicitly permits a party to file a motion to reconsider any order  
23       entered by the court before final judgment. This includes interlocutory orders, such as  
24       summary judgments that do not resolve all claims in a case.
  - 25       ○ Timing: The rule states that a reconsideration motion can be filed "at any time prior to  
26       or within 14 days after the entry of a final judgment."
  - 27       ○ Application: Since the order on summary judgment is interlocutory (not a final judgment  
28       on the entire case), *IRCP 11.2(b)* serves as the procedural basis for filing this motion,

1 allowing Defendant to request the court to review its decision before the case fully  
2 concludes.

- 3 • Supporting Language for Filing: This rule provides a clear procedural pathway to challenge  
4 perceived misinterpretations or overlooked facts in a ruling. Defendant's motion, therefore,  
5 seeks to revisit the court's order based on procedural fairness and due process, with *IRCP*  
6 *11.2(b)* serving as the basis for reconsideration.

7 **III. Relief Sought**

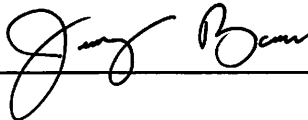
8 Defendant respectfully requests that the Court vacate its summary judgment order, accept  
9 the previously filed memorandums, and reconsider the case with the valid authorities which at the  
10 least should allow the case to proceed to trial through the detailed legal standards set forth in the  
11 accompanying *MEMORANDUM IN SUPPORT OF RECONSIDERATION* to this motion.

Dated this 6<sup>th</sup> day of November 2024.

Respectfully submitted,

Jeremy L. Bass

Defendant/ Perforce Pro Se



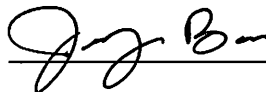
Signature

**CERTIFICATE OF MAILING**

I certify that I have sent by email and first-class mail this *MOTION FOR RECONSIDERATION* to Plaintiffs and Co-Defendant's counsel on November 6<sup>th</sup>, 2024, at the following email address and postal address:

Email: lewis@hwmlawfirm.com [✓]	Ken Nagy
Postal: Lewis N. Stoddard, Bar No. 7766 [ ]	Idaho Legal Aid Services, Inc.
Halliday, Watkins & Mann, P.C.	Email: kennagy@idaholegalaid.org [✓]
376 East 400 South, Suite 300	Counsel for Dwayne Pike
Salt Lake City, UT 84111	

Jeremy L. Bass  
Defendant/ Perforce Pro Se



Signature

ACKNOWLEDGMENT

STATE OF IDAHO )

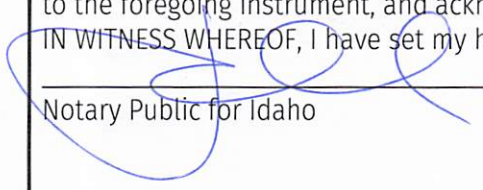
: ss.

County of NEZ PERCE )

JENNIE HAUER  
COMM. #20190160  
NOTARY PUBLIC  
STATE OF IDAHO

On the 6<sup>th</sup> day of November, 2024, before me, the undersigned Notary Public, personally appeared Jeremy Bass, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

  
\_\_\_\_\_  
Notary Public for Idaho

Residing at

Coeur d'Alene

Commission Expires:

1/28/2025