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IN THE DISTRICT COURT FOR THE SECOND JUDICIAL DISTRICT
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 21st Avenue, Lewiston,
Idaho 83501

Defendants.

Case No. CV35-24-1063

MOTION FOR RECONSIDERATION

DEMAND FOR JURY

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

I. Grounds for Reconsideration

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

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

2. Failure to Consider Material Disputes of Fact:

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

MEMORANDUM IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AS AGAINST

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 20th 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 22nd 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,

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

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

III. Relief Sought

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

Dated this 6th 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 6th, 2024, at the following email address and postal address:

Email: lewis@hwmlawfirm.com [✓]

Postal: Lewis N. Stoddard, Bar No. 7766 []

Halliday, Watkins & Mann, P.C.
376 East 400 South, Suite 300
Salt Lake City, UT 84111

Ken Nagy

Idaho Legal Aid Services, Inc.

Email: kennagy@idaholegalaid.org [✓]
Counsel for Dwayne Pike

Jeremy L. Bass
Defendant/ Perforce Pro Se

Signature

ACKNOWLEDGMENT

STATE OF IDAHO)
 : ss.

County of NEZ PERCE)

On the 6th 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 _____

Commission Expires: _____