

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

FIRST-CITIZENS BANK & TRUST  
COMPANY,

Plaintiff,

v.

SUMMIT CANCER CENTER - BOISE, LLC,  
SCCB PROPERTY, LLC, SELECT  
TECHNOLOGY PARTNERS, LLC, SELECT  
HEALTHCARE SOLUTIONS, LLC,  
MATTHEW CUTLER, JOHN E. GAMBOA  
M.D., PLLC, JOHN E. GAMBOA,

Defendants.

Case No. 1:22-CV-00046-JCG

J. CHOE-GROVES, District Judge\*

**MEMORANDUM DECISION AND ORDER**

Pending before the Court is Plaintiff First-Citizens Bank & Trust Company's Motion for Summary Judgment and accompanying Memorandum in Support, Declarations, Statement of Undisputed Facts and Proposed Order (collectively, "Plaintiff's Motion") (Dkt. 21). On December 20, 2022, the Court held oral argument and took Plaintiff's Motion under advisement. After considering the pleadings filed in this action, the Declaration of Jenny Stevens in Support of Plaintiff's Motion for Summary Judgment, the Declaration of Maureen Mitchell in Support of Plaintiff's Motion for Summary Judgment, and the arguments made by Parties during oral

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\* Judge Jennifer Choe-Groves, of the United States Court of International Trade, sitting by designation.

argument, the Court concludes that summary judgment should be granted pursuant to Fed. R. Civ. P. 56(a). Because there are no material facts in dispute and Defendants do not contest Plaintiff's Motion, Plaintiff is entitled to judgment as a matter of law, and Plaintiff's Motion is GRANTED.

For the foregoing reasons, IT IS HEREBY ORDERED that:

1. Plaintiff's Motion for Summary Judgment (Dkt. 21) is GRANTED;
2. A Judgment in favor of Plaintiff shall be attached herewith.

DATED: January 26, 2023

Jennifer Choe-Groves

The Honorable Jennifer Choe-Groves