

Kristyn Escalante is a member of the firms Healthcare, Appeals and Litigation practice groups. She is a trusted attorney who represents professionals in a broad variety of legal matters such as litigation, investigations, regulatory compliance and licensure discipline.



Kristyn B. Escalante

Associate | Boise

Biography

Kristyn B. Escalante joined Parsons Behle & Latimer after completing a two-year clerkship with the Honorable Chief Justice G. Richard Bevan of the Idaho Supreme Court.

Kristyn earned her Juris Doctorate from the University of Idaho College of Law. While in law school, Kristyn served as a symposium editor on the Idaho Law Review, interned for the Ada County Prosecutor and completed a semester in practice as a judicial extern for the former Idaho Supreme Court Chief Justice, Roger S. Burdick.

A graduate of Boise State University, Kristyn received a bachelor's degree in Political Science. During her undergraduate studies, Kristyn served as a legislative intern at a law and policy firm and was a member of the Boise State Women's Volleyball team.

Experience

Breach of Contract Litigation

Assisted trial team in successful defense and counterclaim of a breach of contract dispute. A subcontractor sued our client, a general contractor, after our client terminated a subcontract agreement. Due to the subcontractor's wholly deficient work, we pursued a breach of contract counterclaim against the subcontractor. In litigation we were able to summarily dismiss a claim for unjust enrichment and were also successful in moving the court for sanctions against the opposing party due to the opposing party's failure to comply with certain court orders. The case ultimately went to trial. After a five-day jury trial, the jury returned a verdict in favor of our client finding that our client did not breach the subcontract agreement,

Contact information

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Capabilities

Business & Commercial Litigation

Appeals

Healthcare

Real Estate Litigation

Employment Litigation

Employment & Labor

Licensed/Admitted

Idaho

U.S. Dist. Court, District of Idaho

that the subcontractor did breach the subcontract agreement, and, as a result, our client was entitled to damages.

Medical Malpractice Settlement

A medical malpractice lawsuit was brought against our client, a podiatrist in Twin Falls, Idaho. In the course of litigation, it was determined that plaintiff's expert witness disclosures were deficient under Idaho law. We prepared materials to summarily dismiss plaintiff's medical malpractice claims because plaintiff could not establish his case through direct expert testimony. Rather than facing our summary judgment motion, plaintiff agreed to dismiss his lawsuit with prejudice.

Breach of Contract Dispute

Drafted summary judgment motion arguing no breach of contract because purchase and sale agreement was timely terminated. District court denied, finding a factual dispute as to whether an oral agreement prior to execution of the contract redefined due diligence period. Filed reconsideration motion arguing Idaho law does not permit oral modification of a nonexecuted contract. District court ruled in our favor on reconsideration and judgment ultimately entered for our client.

Accomplishments

Academic

University of Idaho, College of Law (J.D., 2018)

- Idaho Law Review, Symposium Editor
- Dean's List, all applicable semesters
- CALI Excellence for the Future Award: Civil Procedure II

Boise State University (B.S. degree, *cum laude*, 2014)

- Boise State Women's Volleyball

Associations

Professional

Idaho State Bar, Member

American Bar Association, Member

Idaho Women Lawyers, Retreat Planning Committee and Gala Planning Committee

University of Idaho College of Law 2L Mentor Program, Mentor

Community

Boise State University Varsity B, Member

Jannus, Inc., Board of Directors

Articles

"Commencing an Action: Idaho," *Practical Law*, September 9, 2022

"Rebutting Negative Online Reviews Can Land Healthcare Providers in HIPPA Hot Water," *Employment Law Update*, Aug. 2, 2022

"Statutes of Limitations: Idaho," *Practical Law*, April 19, 2022