CIVIL

Pre-Trial Decision

33. **Equitable Estoppel and Equitable Tolling**

Equitable estoppel is not favored and will be sustained only upon clear and convincing evidence. **Bruner v. Yellowstone Co.**, 272 Mont. 261, 268, 900 P.2d 901, 905 (1995) (citation omitted).

We review a district court's conclusion that a party failed to meet the requirements of equitable estoppel to determine if it is correct. See **Bruner v. Yellowstone Co.**, 272 Mont. 261, 268-69, 900 P.2d 901, 906 (1995).

We review de novo whether the factual circumstances warrant the grant of an equitable exception to a statutory filing deadline. **Brilz v. Metro. Gen. Ins. Co.**, 2012 MT 184, ¶ 13, 366 Mont. 78, 285 P.3d 494 (citation omitted).