CIVIL

Pre-Trial Decision

55. **Laches**

Laches is an equitable doctrine. **Wicklund v. Sundheim**, 2016 MT 62, ¶ 9, 383 Mont. 1, 367 P.3d 403 (citing **Cole v. State ex rel. Brown**, 2002 MT 32, ¶ 24, 308 Mont. 265, 42 P.3d 760). When a district court exercises its equitable powers, we review its determinations of fact under a clearly erroneous standard and its interpretations of law for correctness. **Wicklund**, ¶ 9 (citing **LeMond v. Yellowstone Dev., LLC**, 2014 MT 181A, ¶22, 375 Mont. 402, 334 P.3d 366).

"The question of laches is addressed to the sound legal discretion of the chancellor, and his decision will not be disturbed on appeal unless it is so clearly wrong as to amount to an abuse of discretion."

Williard v. Campbell Oil Co., 77 Mont. 30, 44, 248 P. 219, 224 (1926).