

Bond Case Briefs

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ECONOMIC DEVELOPMENT - WYOMING

Gunwerks, LLC v. Forward Cody Wyoming, Inc.

Supreme Court of Wyoming - February 2, 2026 - P.3d - 2026 WL 265228 - 2026 WY 16

Firearms manufacturer brought breach of contract action against non-profit economic development organization that acted as city's agent and organization's contractors that were an architectural firm and construction company arising from construction of an allegedly substandard and defective manufacturing facility, pursuant to a contingency and development agreement (CDA), with grants and loans provided through state initiative program to stimulate local economic development.

The District Court granted contractors' motion to dismiss and granted organization's motion for summary judgment. Manufacturer appealed.

The Supreme Court held that:

- Trial court properly considered three documents that were not attached to complaint in ruling on motion to dismiss;
- Manufacturer alleged sufficient facts that could entitle it to relief as third-party beneficiary of organization's contracts with firm and company;
- Organization had project administration duties, including construction duties, under CDA; and
- Factual issues as to breach of CDA precluded summary judgment on claim against organization.