

2000

# Local Realty Company, a corporation v. V.A. Lindquist and Mary Lindquist, his wife: Brief of Respondent

Utah Supreme Court

Follow this and additional works at: [https://digitalcommons.law.byu.edu/byu\\_sc2](https://digitalcommons.law.byu.edu/byu_sc2)



Part of the [Law Commons](#)

Original Brief Submitted to the Utah Supreme Court; digitized by the Howard W. Hunter Law Library, J. Reuben Clark Law School, Brigham Young University, Provo, Utah; machine-generated OCR, may contain errors.

F. Henri Henriad; Attorney for Defendants and Respondents.

Unknown.

---

## Recommended Citation

Brief of Respondent, *Local Realty Company, a corporation v. V.A. Lindquist and Mary Lindquist, his wife*, No. 6004.00 (Utah Supreme Court, 2000).

[https://digitalcommons.law.byu.edu/byu\\_sc2/25](https://digitalcommons.law.byu.edu/byu_sc2/25)

This Brief of Respondent is brought to you for free and open access by BYU Law Digital Commons. It has been accepted for inclusion in Utah Supreme Court Briefs by an authorized administrator of BYU Law Digital Commons. Policies regarding these Utah briefs are available at [http://digitalcommons.law.byu.edu/utah\\_court\\_briefs/policies.html](http://digitalcommons.law.byu.edu/utah_court_briefs/policies.html). Please contact the Repository Manager at [hunterlawlibrary@byu.edu](mailto:hunterlawlibrary@byu.edu) with questions or feedback.

UTAH  
DOCUMENT

UTAH SUPREME COURT

KFU

CRIF

45.9

.S9

DOCKET NO. 6004 R

# In the Supreme Court of the State of Utah

---

LOCAL REALTY COMPANY, a  
Corporation,  
Plaintiff and Appellant,  
vs.

V. A. LINDQUIST and MARY  
LINDQUIST, his wife,  
Defendants and Respondents.

Reply to  
Petition For  
Rehearing  
No. 6004

---

## RESPONDENTS' BRIEF

---

It is respectfully represented that Petitioner has not complied with Supreme Court Rules of Practice No. XVII in its petition because:

(1) Reason 1 (p. 1) therein is meaningless as a reason for rehearing; it is merely reference to excerpts from the dissent.

(2) Reason 2 (pp. 2-3) therein is equally meaningless and founded on misstatement.

*Salt Lake City v. Kusse,*  
.....Pac. (2nd).....,  
December 1938.

(3) Reason 3 (p. 3) therein is more meaningless than 1 and 2. "Other members of the Bar" being "per-

turbed" may be a mental ebullition but no basis for rehearing.

(4) Counsel for petitioner's appeal to new members of the Court, as would appear on page 11, seems inapropos in view of:

*Cordner vs. Cordner*, 64 Pac. (2nd),  
828, Feb. 9th, 1937.

Respondents are poor people, but the circumlocution of counsel for petitioner, replete as it is with veiled epithet, libelous implication and contemptuous innuendo directed to esteemed members of our Supreme Court, incites further comment at the writer's own expense. Petitioner dares to "petition this Honorable Court" (p. 1) for extraordinary privilege the while undisguised contumely abounds on pages 2, 3, 4, 10 and 11 of its petition.

Pages 11 and 12 reveal the astounding fact that the H.O.L.C. and some trust companies have requested petitioner to file this petition. These supplicants are also paying the expense of the peripatetics of said petition. Unlike these "perturbed" ones, the respondents, because of financial necessity, are relegated to extreme brevity herein, and the petitioner, knowing this, unfairly asserts (p. 12) that "no hardship will be rendered any party in this cause" by the delay. The true, and most prophetic statement of petitioner (p. 12) is that "counsel in this case have no additional fees to be earned by filing this pe-

tition.” The suggestion is ventured that nothing has been earned save a stiff rebuke from the Court for counsel’s puerile reflections upon the intelligence of its members.

Respondents strenuously pray rejection of said petition, not only for lack of grounds therefor and violation of the rules of the Supreme Court, but because counsel for petitioner deserve no more gratuities than those tendered.

F. HENRI HENRIOD,  
Attorney for Defendants and Respondents.