

1986

Robert L. Gleave v. The Denver and Rio Grande  
Western Railroad Company, a corporation, Utah  
Railway Company, a corporation : Unknown

Utah Supreme Court

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UTAH COURT OF APPEALS

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CKET NO. 860058 IN THE SUPREME COURT FOR THE STATE OF UTAH

ROBERT L. GLEAVE,	)	
	)	
Plaintiff-Appellant,	)	
and Respondent,	)	THIRD MEMORANDUM OF
	)	NEWLY UNCOVERED AUTHORITY
vs.	)	
	)	
THE DENVER AND RIO GRANDE	)	
WESTERN RAILROAD COMPANY, a	)	
corporation, UTAH RAILWAY	)	
COMPANY, a corporation,	)	Case No. 20166 860057-CA
	)	Case No. 20300 860058-CA
Defendant-Appellants	)	
and Respondents,	)	Consolidated
	)	Case No. 20300
and	)	
	)	
THE STATE OF UTAH,	)	
DEPARTMENT OF TRANSPORTATION,	)	
	)	
Defendant-Respondent.	)	

Gleave respectfully submits the newly uncovered case of Seaboard Coast Railroad Co. v. Louallen, \_\_\_\_\_ Sc.2d \_\_\_\_\_, (Fla. App. 1985). (Slip opinion attached.)

This case relates to Brief of Appellant at Point III. Specifically, the Seaboard case holds that a railroad can be negligent even though it has provided all of the safety devices required by Statute.

DATED this 21st day of January, 1986.

ROBERT J. DEBRY & ASSOCIATES  
Attorneys for Robert Gleave

By: [Signature]

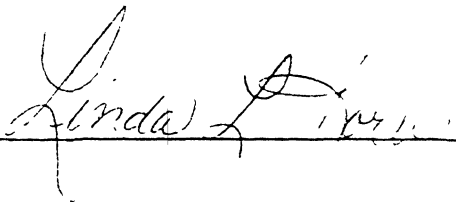
PLEADING FILE

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing Third Memorandum of Newly Uncovered Authority, (Gleave vs. Denver & Rio Grande vs. State of Utah), was mailed via U.S. Mail, postage prepaid, this 21 day of January, 1986, to the following:

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