

1986

Madsen v. Prudential Federal Savings & Loan Assoiation : Unknown

Utah Supreme Court

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Hand Delivered

Clerk, Supreme Court, Utah

Geoffrey J. Butler, Clerk
Utah Supreme Court
322 State Capital Building
Salt Lake City, UT 84114

Re: Madsen v. Prudential
Case No. 860148

Dear Mr. Butler:

In recent letters to the Court, plaintiffs cited two additional cases: Beehive Medical Electronics, Inc. v. Square D. Co., 669 P.2d 859 (Utah 1983); Hill v. Cloward, 14 Utah 2d 55, 377 P.2d 186 (1962). As permitted by Rule 24(j) of the Rules of the Utah Supreme Court, Prudential Federal Savings & Loan Association responds briefly.

Plaintiffs claim the cases support their allegation that Prudential did not object timely when it first learned Judge Rigtrup was biased and had a financial interest in the outcome of the trial. These cases do not alter, however, the facts clearly reflected in the trial transcript: Prudential objected timely and vigorously, both at trial and afterwards. See Brief of Respondent, Point IV at 37-44.

Mr. Butler, please bring this letter to the attention of the Court. Five photocopies are enclosed.

Sincerely yours,

MOYLE & DRAPER, P.C.


Joseph J. Palmer

JJP/jf

cc: Robert J. Debry
Peter W. Billings, Sr.