

1986

Madsen v. Prudential Federal Savings & Loan Assoiation : Unknown

Utah Supreme Court

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December 10, 1986

Geoffrey J. Butler, Clerk
Supreme Court of Utah
322 State Capitol Building
Salt Lake City, Utah 84111

Re: No. 860148

Dear Mr. Butler:

Under date of May 19, 1986 the Court granted my Motion for Leave to File Amicus Curie Brief in the above entitled matter on behalf of the Utah Bankers Association. It is now my belief that the decision of the Supreme Court of the United States, entered on April 22, 1986, in Aetna Life Insurance Company v. Lavoie, et al., 475 U.S. ___, 89 L.Ed.2d 823, is dispositive of the interest of the Utah Bankers Association in the issues on appeal. The Supreme Court of the United States found in that case as to judges of the Supreme Court of Alabama who were potential members of a class which had not even been certified, while they may have conceivably had a slight pecuniary interest, "it impossible to characterize that interest as 'direct, personal, substantial and pecuniary'".

Accordingly, I request that you excuse me from filing a brief.

Respectfully submitted,


Peter W. Billings, Sr.

PWB/sra

cc: Joseph J. Palmer, Esq.
Robert J. DeBry, Esq.

FILED

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State Supreme Court Utah