

1987

Walter E. Heller Western Incorporated, a California corporation v. US Rock Wool Company, Inc., a Utah corporation; V. Ross Ekins; S.O. Ekins :
Unknown

Utah Supreme Court

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UTAH COURT OF APPEALS

BRIEF

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Geoffrey J. Butler, Clerk
SUPREME COURT OF UTAH
322 State Capitol Building
Salt Lake City, Utah 84114

Re: Walter E. Heller Western, Incorporated, Appellant,
v. U.S. Rock Wool Company, et al., Respondents
Case No. 860322

Dear Mr. Butler:

Pursuant to Rule 24(j), Utah Rules of Appellate Procedure, Respondents V. Ross Ekins and S. O. Ekins wish to provide the following citations of authority to supplement their Brief filed in the above-stated case:

Ashton v. Ashton, _____ P.2d _____, 51 UAR 16
(February 4, 1987)

Harline v. Campbell, _____ P.2d _____, 45 UAR 4
(October 28, 1986)

Scharf v. BMG Corporation, 700 P.2d 1068
(Utah, 1985)

These three cases (Ashton, supra at 17-18; Harline, supra at 5; and Scharf, supra at 1069-70) relate to Respondents' arguments found on page 26 of their Brief regarding the burden the Appellant must meet in challenging the sufficiency of the evidence in support of the findings of fact.

Additionally, Ashton, supra at 20, relates to the Respondents' arguments found on pages 45-57 of their Brief regarding the burden the Appellant must meet in asserting the existence of an error sufficient to warrant a new trial and to the application of the provisions of Rule 52(a), U.R.C.P., to pending appeals.

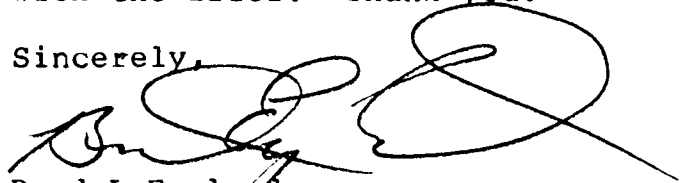
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Geoffrey J. Butler, Clerk
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Please file this letter with the Brief. Thank you.

Sincerely,



Brad L Englund
Attorney for Respondents

BLE:j

cc: Cary D. Jones, Esq.
John T. Anderson, Esq.
Attorneys for Appellant