

2011

Nupetco Associates, LLC v. Diane Dimeo : Unknown

Utah Court of Appeals

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UTAH APPELLATE COURTS

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March 26, 2012

BY HAND DELIVERY

Clerk of the Court of Appeals
450 South State St.
Salt Lake City, UT 84114

Re: In the Matter of the Estate of Eleanor Strand; Nupetco Associates, LLC
Appellant; Diane Dimeo, Appellee
Case No. 20110215

Dear Clerk:

Pursuant to Rule 24(j) of the Utah Rules of Appellate Procedure, I am filing the original and 7 copies of this letter with the Clerk of the Court to advise the Court of Appeals of a supplemental authority. On page 10 of the Appellant's Brief in this matter, the Appellant argued that the case of *Richards v. Brown* is relevant to the appeal, and it cited portions of the oral argument before the Supreme Court on May 12, 2011.

On March 13, 2012, the Supreme Court issued its opinion in that matter. *See Richards v. Brown*, --- P.3d ---, 2012 WL 822830 (Utah, March 13, 2012). In paragraph 26 of the opinion, the Supreme Court refers to the statute under consideration there as a statute of repose. Please note, however, that the Supreme Court's decision in *Richards v. Brown* has not been released for publication, although it should be released prior to the Court of Appeals' written decision in this matter.

Sincerely yours,



Charles M. Bennett
Attorney for Appellant, Nupetco Associates, LLC

CMB/wps

cc: Wayne Petty
George Hunt, Hunt & Williams, **BY EMAIL**
Attorneys for Appellee, Diane Dimeo