

1992

Janet R. (Cox) Rex v. K. Norman Cox : Unknown

Utah Court of Appeals

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June 28, 1994

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UTAH COURT OF APPEALS BRIEF

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920010

Honorable Pamela T. Greenwood
Judge, Utah Court of Appeals
230 South 500 East, #400
Salt Lake City, Utah 84102

Re: Cox v. Cox, Case #92-0818

Dear Judge Greenwood:

During oral argument, you asked concerning a signed stipulation of the parties. Since I was not trial counsel, I unknowingly misrepresented to you that the stipulation was submitted to the trial court unsigned. In fact, the stipulation was signed by both parties and their respective legal counsel and was submitted as a signed stipulation to the court.

I have searched the court record and cannot find the signed stipulation either as a pleading or as an exhibit. I have an unsigned copy of that stipulation, and upon request will submit it to supplement the record.

The parties and their trial counsel acknowledge that a stipulation was signed on August 30, 1992 and was presented to the court at the commencement of trial. The transcript in the court's record references the Stipulation at least 30 times. The Stipulation was specifically incorporated in the Findings of Fact at page 1 and the Court's Memorandum Decision at page 1.

LAW OFFICES OF
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Honorable Pamela T. Greenwood

June 28, 1994

Page 2

If I may be of other service in the matter, please advise.

Very truly yours,



M. Byron Fisher
Attorney for Appellee

MBF:mf

Enclosure

cc: Mary C. Corporon,
Attorney for Appellant
Richard L. Peel,
Co-trial Attorney for Defendant.