

1994

Carolyn Marie Endrody v. Laszlo Endrody Jr.,
Endrody Trust, Patty Heinz as Trustee of the
Endrody Trust, Patty Heinz, individually, Endrody
Trucking, Inc., a Utah Corporation, William
Endrody, Les D. Endrody, Robert St. Endrody,
Michael A. Endrody, Linda S.M. Endrody, Jonathan
Heinz, Teresa M. Endrody, Donna Endrody, Paul
McGarvey, Matilda McGarvey, Miklos Endrody,
Madelein L. Endrody, Heidi Michelle Endrody, and

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 Luke James Endrody: Reply Brief

Utah Court of Appeals

Original Brief Submitted to the Utah Court of Appeals; digitized by the Howard W. Hunter Law Library, J. Reuben Clark Law School, Brigham Young University, Provo, Utah; machine-generated OCR, may contain errors.

Michael W. Day; Snow, Nuffer, Engstrom and Drake; Attorneys for Defendants/Appellees except Laszlo Endrody Jr.; Laszlo Endrody Jr.; Pro Se.

Michael W. Park, James M. Park; The Park Firm; Attorney for Plaintiff/Appellant.

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Reply Brief, *Endrody v. Endrody*, No. 940753 (Utah Court of Appeals, 1994).

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IN THE UTAH COURT OF APPEALS

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.A10
DOCKET NO. 940753-CA

CAROLYN MARIE ENDRODY,)
)
Plaintiff/Appellant,)
)
v.)
)
LASZLO ENDRODY JR., ENDRODY)
TRUST, PATTY HEINZ, as Trustee)
of the ENDRODY TRUST, PATTY)
HEINZ, individually, ENDRODY)
TRUCKING, INC., a Utah Corporation,)
WILLIAM ENDRODY, LES D.)
ENDRODY, ROBERT ST. ENDRODY,)
MICHAEL A. ENDRODY, LINDA S.M.)
ENDRODY, JONATHAN HEINZ,)
TERESA M. ENDRODY, DONNA)
ENDRODY, PAUL McGARVEY,)
MATILIDA McGARVEY, MIKLOS)
ENDRODY, MADELEIN L. ENDRODY,)
HEIDI MICHELLE ENDRODY and)
LUKE JAMES ENDRODY,)
)
Defendants/Appellees.)

APPELLANT'S REPLY BRIEF

Case No. 940753-CA
Priority No. 15

APPEAL FROM A JUDGMENT
OF THE FIFTH JUDICIAL DISTRICT COURT IN AND FOR IRON COUNTY,
STATE OF UTAH

THE HONORABLE J. PHILIP EVES, DISTRICT JUDGE

MICHAEL W. DAY
SNOW, NUFFER, ENGSTROM & DRAKE
Attorney for all Defendants/Appellees except
Laszlo Endrody Jr.
P.O. Box 400
St. George, UT 84771

MICHAEL W. PARK
JAMES M. PARK
THE PARK FIRM
Attorney for Plaintiff/Appellant
P.O. Box 2438
St. George, UT 84771

LASZLO ENDRODY JR., Pro se
Defendant/Appellee
P.O. Box 1083
Cedar City, UT 84720-0183

FILED
Utah Court of Appeals
JUL 14 1995
Marilyn M. Branch
Clerk of the Court

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ARGUMENT

I. APPELLANT HAS PROVIDED THE RECORD ON APPEAL AS REQUIRED BY THE RULES OF THE COURT.

The appellant ordered the record on appeal from the Court Reporter as required by the rules of this Court. The appellees claimed that the record was not properly before the court because there was a hearing on November 29, 1993, where evidence was taken and a reporters transcript of that hearing had not been prepared. Appellant's attorneys contacted the Court Reporter and the Court Reporter determined that evidence was taken on that day and provided a recorders transcript for said date. The original of said transcript has been filed with the Court. The transcript is six (6) pages long and neither appellant nor appellee referred to evidence taken on that day in any of the briefs.

II. THE APPELLANT HAS ADEQUATELY MARSHALED THE EVIDENCE.

The defendants broad argument, that plaintiff has failed to marshal the evidence in favor of the Courts finding, is incorrect. A full review of appellants brief plainly reveals that appellant, on each of the key factual issues of contention, has more than adequately cited to the record, and marshaled all of the evidence supporting the trial courts findings. The appellant then demonstrated why the evidence does not support the courts decision.

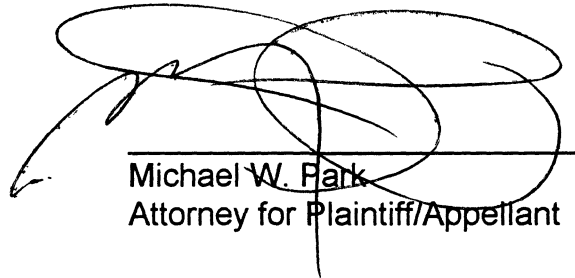
CONCLUSION

Appellees argument that appellant has not marshaled the evidence and has not provided the complete record on appeal is baseless.

DATED this 12th day of July, 1995.

Respectfully submitted,

THE PARK FIRM



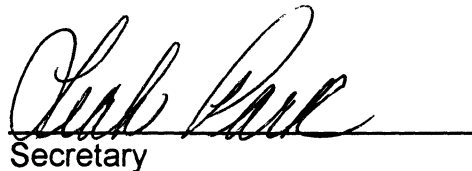
Michael W. Park
Attorney for Plaintiff/Appellant

CERTIFICATE OF MAILING

I hereby certify that on the 12th day of July, 1995, I caused to be mailed, two (2) true and exact copies of the within and foregoing APPELLANT'S REPLY BRIEF to the following, first-class, postage prepaid:

MICHAEL W. DAY
SNOW, NUFFER, ENGSTROM & DRAKE
P.O. Box 400
St. George, UT 84771

LASZLO ENDRODY JR.
P.O. Box 1083
Cedar City, UT 84720-0183



Secretary