

The Order of the Court is stated below:

Dated: May 31, 2024
12:13:04 PM

/s/ John A. Pearce
Justice



IN THE SUPREME COURT OF THE STATE OF UTAH

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FARM BUREAU MUTUAL
INSURANCE COMPANY,
Respondent and Cross-petitioner,

v.
JARED H. WESTON,
Respondent and Cross-petitioner,

and

FARMERS INSURANCE EXCHANGE;
WILSON GREEN INSURANCE
AGENCY, INC.; and PREMATIC
SERVICE CORPORATION,
Petitioners and Cross-respondents.

ORDER

Supreme Court Case No. 20240024-SC

Court of Appeals Case No. 20180699-
CA

Trial Court Case No. 050905850

This matter is before the Court upon Farmers Insurance Exchange, Wilson Green Insurance Agency, Inc., and Prematic Service Corporation's Petition for Writ of Certiorari filed on January 10, 2024. The Complex Insurance Claims Litigation Association (CICLA) and the American Property Casualty Insurance Association (APCIA) submitted a brief of amicus curiae in support of that petition with the consent of all parties on January 24, 2024. Prime Insurance Company (Prime) submitted a motion to permit a brief of amicus curiae in support of the petition on January 24, 2024. Farm Bureau Mutual Insurance Company's Cross-petition for Writ of Certiorari was filed on February 5, 2024. Jared H. Weston's Cross-petition for Writ of Certiorari was filed on February 9, 2024.

The Petition for Writ of Certiorari is granted as to the following issues:

1. Whether the Court of Appeals erred in concluding Petitioners had a duty to defend Respondent Jared H. Weston.

2. Whether the majority of the panel of the Court of Appeals erred in concluding Petitioners could not challenge their liability for the underlying judgment against Respondent Jared H. Weston, contest the amount of damages, or set forth any other available defense.

3. Whether the Court of Appeals erred in concluding a judgment confirming an arbitration ruling did not expire.

Farm Bureau Mutual Insurance Company's Cross-petition for Writ of Certiorari is granted as to the following issue:

1. Whether the Court of Appeals erred in affirming the district court's determination that the cancellation of an automobile insurance policy was valid.

Jared H. Weston's Cross-petition for Writ of Certiorari is granted as to the following issues:

1. Whether the Court of Appeals erred in affirming the district court's determination that the cancellation of an automobile insurance policy was valid.

2. Whether the Court of Appeals erred in concluding Cross-respondent Farmers Insurance Exchange did not waive its right to cancel the policy.

3. Whether the Court of Appeals erred in concluding Cross-petitioner Jared H. Weston failed to demonstrate any damages for emotional distress.

In light of the grant of certiorari review, the Court deemed it unnecessary to separately grant or deny Prime's motion to permit a brief in support of the petition. If Prime or CICLA and APCIA wish to participate in the briefing on the merits, they should submit a motion to permit a brief of amicus curiae or a brief of amicus curiae with the consent of all parties within the time frames set forth by Rule 25(d)(2) of the Rules of Appellate Procedure.

A briefing schedule will be established hereafter. The parties shall comply with the briefing schedule upon its issuance. Requests for extension are disfavored, but may be

granted with good cause.

End of Order - Signature at the Top of the First Page