

The Order of the Court is stated below:

Dated: January 30, 2017
01:17:58 PM

/s/ Thomas R. Lee
Associate Chief Justice



IN THE SUPREME COURT OF THE STATE OF UTAH

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**Wittingham, LLC;
The Muir Second Family Limited
Partnership;
and Dorothy Jeanne Muir,
Respondent,**

v.

**TNE Limited Partnerhip,
Petitioner.**

ORDER

Appellate Case No. 20160805-SC

This matter is before the court upon a Petition for Writ of Certiorari, filed on September 30, 2016.

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

Whether the court of appeals erred in concluding the trust deed at issue in this case was void rather than voidable under *Houston v. Utah Lake Land, Water & Power Co.*, 187 P.174, 177 (Utah 1919), and whether *Houston* has been or should be overruled.

A briefing schedule will be established hereafter. Pursuant to Rule 2 of the Rules of Appellate Procedure, the Court suspends the provision of Rule 26(a) that permits the parties to stipulate to an extension of time to submit their briefs on the merits. The parties shall not be permitted to stipulate to an extension. Additionally, absent extraordinary circumstances, no extensions will be granted by motion. The parties shall comply with the briefing schedule upon its issuance.

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