

The Order of the Court is stated below:

Dated: July 27, 2017
09:27:54 AM

/s/ Thomas R. Lee
Associate Chief Justice



IN THE SUPREME COURT OF THE STATE OF UTAH

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**Reperex Inc.; Brad Ball; David Ball,
Appellants and Cross-petitioners,**

v.

**Child, Van Wagoner and Bradshaw
PLL; J. Russton Bradshaw,
Appellees and Respondents,
and
Coldwell Banker Commercial and
Duane Bush,
Appellees and Petitioners.**

ORDER

Supreme Court Case No. 20170354-SC

**Court of Appeals Case No. 20150246-
CA**

Trial Court Case No. 110916924

This matter is before the court upon a Petition for Writ of Certiorari and a Cross-Petition for Writ of Certiorari, filed on May 3, 2017.

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

1. Whether the Court of Appeals erred in concluding the non-reliance clause in the agreement between Respondent buyers and Petitioner broker was not enforceable.
2. Whether the Court of Appeals erred in concluding Respondent buyers were not required to present expert testimony regarding Petitioner broker's standard of care.

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

1. Whether the Court of Appeals erred in concluding Cross-Petitioner buyers had failed to demonstrate a statutory exception to the privity requirement of Section 58-26a-602 of the Utah Code.

2. Whether the Court of Appeals erred in determining Cross-Petitioner buyers had failed to demonstrate any contractual agreement with Respondent accountant to adequately brief their privity argument.

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. The parties shall comply with the briefing schedule upon its issuance.

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