

The Order of the Court is stated below:

Dated: March 08, 2024
01:57:18 PM

/s/ John A. Pearce
Justice



IN THE SUPREME COURT OF THE STATE OF UTAH

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SALT LAKE COUNTY,
Petitioner and Cross-respondent,
v.
THERESA CHRISTENSEN
Respondent and Cross-petitioner,

LABOR COMMISSION,
Respondent.

ORDER

Supreme Court Case No. 20230965-SC

Court of Appeals Case No. 20200391-
CA

Trial Court Case No. 8-7-0290

This matter is before the court upon a Petition for Writ of Certiorari, filed on November 1, 2023, and a Cross-Petition for Writ of Certiorari, filed on November 30, 2023.

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

1. Whether a majority of the panel of the Court of Appeals erred in its construction and application of this Court's decision in *Injured Workers Association of Utah v. State*, 2016 UT 21, 374 P.3d 14, in relation to awards of attorney fees issued by the Labor Commission.
2. Whether a majority of the panel of the Court of Appeals erred in affirming the Labor Commission Appeals Board's determination that Respondent Theresa Christensen suffered retaliation for raising claims of discrimination.
3. Whether a majority of the panel of the Court of Appeals erred in affirming the Labor Commission Appeals Board's award of compensation for vacation and sick leave and amounts withdrawn from a retirement account.

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

1. Whether a majority of the panel of the Court of Appeals erred in concluding the Utah Antidiscrimination Act does not permit an award of noneconomic damages.

2. Whether a majority of the panel of the Court of Appeals erred in declining to address Cross-Petitioner's argument relating to the standard applied to causation in discrimination and retaliation cases.

3. Whether a majority of the panel of the Court of Appeals erred in declining to address Cross-Petitioner's argument relating to the substitution of the administrative law judge during the course of the administrative adjudicative proceedings.

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