

The Order of the Court is stated below:

Dated: June 09, 2026
08:32:35 PM

/s/ JILL M. POHLMAN
Justice



IN THE SUPREME COURT OF THE STATE OF UTAH

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GERALD A. SMITH,
Petitioner and Cross-respondent,
v.
WALTER CREECH and FRANCISCO
JOSE CREECH,
Respondents and Cross-petitioners.

ORDER

Supreme Court Case No. 20260095-SC

Court of Appeals Case No. 20240793-
CA

Trial Court Case No. 210100100

This matter is before the court upon a Petition for Writ of Certiorari, filed on January 23, 2026, and a Cross-Petition for Writ of Certiorari, filed on February 23, 2026.

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

Whether the Court of Appeals erred in reversing the district courts exclusion of evidence of preexisting conditions.

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

Whether the Court of Appeals erred in limiting its reversal and remand to a retrial pertaining to general damages and in precluding revisitation and apportionment of special damages.

A briefing schedule will be established. The parties may stipulate to extensions according to rule 22 of the Utah Rules of Appellate Procedure.

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