

DEC 17 2021

IN THE UTAH COURT OF APPEALS

<p>MARK CHRISTOPHER TRACY, Appellant, <i>v.</i> SIMPLIFI CO, JENNIFER HAWKES, AND ERIC HAWKES, Appellees.</p>	<p>ORDER AND MOTION FOR SUMMARY DISPOSITION Case No. 20210227-CA</p>
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This appeal was stayed pending a decision in *Tracy v. Simplifi*, Case No. 20200705-CA. This court issued its decision on September 15, 2021, and the Utah Supreme Court denied a petition for certiorari on December 8. Accordingly,

IT IS HEREBY ORDERED that the stay is lifted.

This appeal is being considered for summary disposition on the basis that there is no substantial issue for review warranting further proceedings by this court. Specifically, this court's decision in *Tracy v. Simplifi Co.*, Case No. 20200705, involves the same issues and procedural posture and controls this matter.

Instead of a brief, the parties must file a written response, not to exceed ten pages, explaining why the district court's order should, or should not, be summarily affirmed by this court. Copies of documents are no longer required. An emailed document can be signed electronically or by hand. The emailed copy will be considered the original. See Utah Supreme Court Standing Order No. 11. All risks associated with filing by email are borne by the sender. The email address for the Court of Appeals is courtofappeals@utcourts.gov. This court emails all documents to the email listed on the Utah State Bar website for attorneys or to the email address provided by self-represented parties.

The response should be filed with the clerk of the Utah Court of Appeals on or before January 10, 2022.

Dated this 17th day of December, 2021.

FOR THE COURT:



Ryan M. Harris, Judge

CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2021, a true and correct copy of the foregoing ORDER and MOTION FOR SUMMARY DISPOSITION was deposited in the United States mail or was sent by electronic mail to be delivered to:

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Judicial Assistant

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