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publication in the Pacific Reporter.*

IN THE SUPREME COURT OF THE STATE OF UTAH

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Kenneth W. Duncan; KWD  
Associates, L.C.; Lee Duncan;  
and Julee Associates, L.C.,  
Petitioners,

No. 20051009

v.

Fourth Judicial District Court;  
The Honorable Fred. D. Howard;  
The Honorable Gary D. Stott;  
Brigham Young University; Tremco  
Consultants, Inc.; Heber Valley  
Bank; and SoftSolutions, Inc.,  
Respondents.

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Rannoch, L.L.C., and Carie, L.L.C.,  
Petitioners,

No. 20060203

v.

Fourth Judicial District Court;  
The Honorable James R. Taylor;  
Brigham Young University; Tremco  
Consultants, Inc.; Heber Valley  
Bank; and Softsolutions, Inc.,  
Respondents.

F I L E D

February 2, 2007

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Original Proceedings in this Court

Attorneys: Clark R. Nielsen, Salt Lake City, for petitioners  
Duncan, KWD Assoc., and Julee Assoc.  
Michael R. Carlston, R. Brent Stephens, David L.  
Pinkston, Salt Lake City, for petitioners Rannoch and  
Carie  
Brent M. Johnson, Salt Lake City, for respondents  
Fourth District and Judges Howard, Stott, and Taylor  
Steven W. Call, Michael D. Mayfield, Herschel J.  
Saperstein, Benjamin J. Kotter, Salt Lake City, for  
respondent BYU

Eric K. Schnibbe, Salt Lake City, for respondent  
Tremco

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NEHRING, Justice:

¶1 This opinion pertains to two petitions brought under Utah Rule of Civil Procedure 65B. We have consolidated the two petitions because both parties ask for essentially the same relief--the vacation of the July 10, 2002 supplemental order entered in favor of Brigham Young University (BYU) and a cessation of collection activities by BYU against petitioners. In light of our holding in Brigham Young University v. Tremco Consultants, Inc., 2007 UT 17, \_\_ P.3d \_\_, the petitions are granted and the July 10, 2002 supplemental order is vacated.

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¶2 Chief Justice Durham, Justice Parrish, and Judge Atherton concur in Justice Nehring's opinion.

¶3 Having disqualified themselves, Associate Chief Justice Wilkins and Justice Durrant do not participate herein; Judge Judith S.H. Atherton sat.