

2021SC781 (1 HOUR)

Petitioners/Cross-Respondents:

State of Colorado, ex rel. Philip J. Weiser, as Attorney General of the State of Colorado and Martha Fulford as Administrator of the Uniform Consumer Credit Code,

v.

Respondents/Cross-Petitioners:

Center for Excellence in Higher Education, Inc., a not-for-profit company; CollegeAmerica Denver, Inc.; CollegeAmerica Arizona, Inc., divisions thereof, d/b/a CollegeAmerica; Stevens-Henager College Inc., a Division thereof, d/b/a Stevens-Henager College; CollegeAmerica Services, Inc., a Division thereof; The Carl Barney Living Trust; Carl Barney, Chairman of Center for Excellence in Higher Education, Inc. and Trustee of the Carl Barney Living Trust; and Eric Juhlin, Chief Executive Officer of Center for Excellence in Higher Education, Inc..

For the Petitioner/Cross-Respondents:

Hanah Michaela Harris
COLORADO DEPARTMENT OF LAW
and
Eric R Olson Assistant Attorney General
Abigail Moss Hinchcliff Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL

For the Respondent/Cross-Petitioner Center for Excellence in Higher Education, Inc.; CollegeAmerica Dener, Inc., CollegeAmerica Arizona, Inc., Stevens-Henager College, Inc., and CollegeAmerica Services, Inc.

Sean Connelly
CONNELLY LAW LLC

For the Respondent/Cross-Petitioner The Carl Barney Living Trust and Eric Juhlin, Chief Executive Officer in Center for Excellence in Higher Education:

Larry S Pozner
L S Pozner, PLLC

Certiorari to the Colorado Court of Appeals, 2020CA1692
Docketed: October 27, 2021
At Issue: January 13, 2023

ISSUE(S):

Whether the division erred when it assumed reversible prejudice based on an error that could have theoretically affected a party's strategic incentives at trial.

Whether the division erred in requiring a new trial where other procedures, including additional proceedings under Rule 59 (f), would satisfy the requirements of substantial justice.

Whether the court of appeals erred when it created requirements for individualized evidence in applying the unconscionability standard in section 5-6-112, C.R.S. (2021).

Whether there is a right to a jury trial when the State seeks large monetary penalties under the Colorado Consumer Protection Act (the 'CCPA').

2021SC836 (1 HOUR)

Petitioner:

US Bank National Association,

v.

Respondents:

Jerome D. Silvernagel and Dan Wu.

For the Petitioner:

Chad Jimenez
Matthew A Morr
BALLARD SPAHR LLP

For the Respondents:

William Arnold Morris
STAGGS MORRIS PC

For Amici Curiae Federal Home Loan Mortgage Corporation; Federal Housing Finance Agency and Federal National Mortgage Association:

Sara Mouldoux Glover
ARNOLD PORTER

For Amici Curiae The American Legal and Financial Network, The Colorado Bankers Association, The Colorado Mortgage Lenders Association, The Independent Bankers of Colorado and the Mortgage Bankers Association

Elizabeth S Marcus
FRASCONA JOINER GOODMAN GREENSTEIN

and
Deanne Renee Stodden
MESSNER REEVES LLP

and
Jamie Grant Siler
James Patrick Eckels
MURR SILER ACCOMAZZO P.C.

Certiorari to the Colorado Court of Appeals, 2020CA1035
Docketed: November 18, 2021

At Issue: January 13, 2023

ISSUE(S):

Whether the court of appeals erred in determining the six-year statute of limitations period during which a lender may foreclose on a security instrument accrued upon the borrower's bankruptcy discharge.
