

2022SC639 (1 HOUR)

Petitioner:

Susan Ann Scholle as personal representative for
the Estate of Daniel B. Scholle,

v.

Respondents:

Edward Ehrichs, M.D., Michael Rauzzino, M.D., and
HCA-HealthONE, LLC.

For the Petitioner:

Sean Connelly
CONNELLY LAW LLC
and
Isobel S. Thomas
Jennifer L. Marshall
Matthew R. Laird
THOMAS KEEL & LAIRD LLC

For the Respondent Edward Ehrichs, M.D.:

Christopher Todd Drake
HERSHEY DECKER DRAKE

For the Respondent Michael Rauzzino, M.D.:

Theresa Wardon Benz
Kristin L. Arthur
DAVIS GRAHAM & STUBBS LLP
and
Kevin J. Kuhn
Meghan Frei Berglind
WHEELER TRIGG O'DONNELL LLP

For the Respondent HCA-HealthONE, LLC:

Theodore C. Hosna
Casey C. Kannenberg
Jacqueline B. Sharuzi-Brown
SHARUZI LAW GROUP, LTD.

**For Amici Curiae Colorado Medical Society
and American Medical Association:**

Mariham Yaft
SHOOK HARDY & BACON LLP

**For Amicus Curiae Coloradans Protecting
Patient Access:**

Kendra N. Beckwith
LEWIS ROCA ROTHGERBER CHRISTIE LLP

**For Amicus Curiae The Colorado Trial
Lawyers Association:**

Julia T. Thompson
Timothy J. Luetkemeyer
LEVENTHAL PUGA BRALEY P.C.
and
Robyn Levin
LEVIN SITCOFF WANEKA PC

**For Amici Curiae Colorado Defense Lawyers
Association and Colorado Civil Justice**

League:

Christopher M. Jackson
Adrienne K. Rosenbluth
HOLLAND & HART LLP
and
Rodrigo Lugo
Elizabeth Moran
HALL BOOTH SMITH P.C.

Certiorari from the Colorado Court of Appeals, 2020CA2051
Docketed: September 01, 2022
At Issue: August 15, 2023

ISSUE(S):

[REFRAMED] Whether the division erred in its application of both the contract exception to the collateral source rule, § 13-21-111.6, C.R.S. (2022), and the Health Care Availability Act's subrogation framework, § 13-64-402(3), C.R.S. (2022), by ordering the trial court to consider insurance contract liabilities when making findings as to whether good cause and unfairness exist to exceed the statutory damages cap.

2022SC450 (1 HOUR)

Petitioner:

Essentia Insurance Company,

v.

Respondent:

Beverly Hughes.

For the Petitioner:

Corey A. Holton
BACHUS & SCHANKER LLC

For the Respondent:

Jacquelyn S. Booker
Rachel T. Jennings
SUTTON BOOKER P.C.
and
Bennett Evan Cooper
Vail C. Cloor
DICKINSON WRIGHT PLLC

Certiorari to the Colorado Court of Appeals, 2020CA1356
Docketed: June 16, 2022
At Issue: July 26, 2023

ISSUE(S):

Whether a specialty antique/classic-car policy's "regular use vehicle" exclusion in its uninsured/underinsured-motorist ("UM/UIM") endorsement is enforceable under section 10-4-609, C.R.S. (2022), where the policy requires the insured to maintain a separate policy for regular-use vehicles providing full UM/UIM coverage.

2022SC671 (1 HOUR)

Petitioners:

Justin Hice and Town of Olathe,

v.

Respondents:

Nichele Giron individually and as Personal Representative of the Estate of Walter Giron, Amanda Giron, and Thomas Short as Personal Representative of the Estate of Samuel Giron.

For the Petitioners:

Bradley D. Tucker
TUCKER HOLMES P.C.
and
Winslow R. Taylor, III
CAMPBELL, WAGNER & FRAZIER, LLC

For the Respondents:

Damon Davis
J. Keith Killian
KILLIAN DAVIS RICHTER & KRANIAK PC

For Amici Curiae Colorado State Patrol and Colorado Office of Risk Management:

Friedrick C. Haines
OFFICE OF THE ATTORNEY GENERAL

For Amicus Curiae The Colorado Trial Lawyers Association:

Nelson Boyle
5280 APPELLATE GROUP, A DIVISION OF THE
PAUL WILKINSON LAW FIRM LLC

Certiorari to the Colorado Court of Appeals, 2020CA1603
Docketed: September 08, 2022
At Issue: August 10, 2023

ISSUE(S):

Whether the court of appeals erred in creating a bright-line rule waiving governmental immunity if an emergency vehicle operator responds to an emergency or pursues a violator of the law and exceeds the speed limit at any point before they activate their emergency lights or sirens.

2023SA137 (1 HOUR)

In the Matter of Attorney-Respondent:

John F. Kennedy.

For the Attorney-Respondent:

David M. Beller
Nathan Bruggeman
RECHT KORNFELD PC

For the People of the State of Colorado:

Jody M. McGuirk
ATTORNEY REGULATION COUNSEL

Original Proceeding in Discipline, Office of the Presiding Disciplinary Judge, 2022PDJ063
Docketed: May 25, 2023
At Issue: August 23, 2023

ISSUE(S):

Whether the Presiding Disciplinary Judge erred in holding that, in a reciprocal disciplinary proceeding, the rule of limitations in Colorado Rule of Civil Procedure 241.12 runs from the date of the foreign jurisdiction's final decision imposing discipline rather than the date the underlying conduct is discovered.

Whether the Presiding Disciplinary Judge erred in granting the Office of Attorney Regulation Counsel's motion for summary judgment when there are genuine issues of material fact concerning appellant's affirmative defenses because the Washington, D.C. proceedings did not establish appellant's specific mental state for purposes of Colorado law.

2022SC549(1 HOUR)

Respondent:

The People of the State of Colorado,

In the Interest of

Petitioner:

J.G.

For the Respondent:

Melissa D. Allen
OFFICE OF THE ATTORNEY GENERAL

For the Petitioner:

Mark Evans
OFFICE OF THE PUBLIC DEFENDER

**For Amicus Curiae Colorado School Districts
Self Insurance Pool:**

Caroline G. Gecker
W. Stuart Stuller
CAPLAN AND EARNEST LLC

**For Amicus Curiae Attorney General Phil
Weiser:**

Michelle Berge
Dayna Zolle Hauser
OFFICE OF THE ATTORNEY GENERAL
and
Leslie C. Schulze
DEPARTMENT OF JUSTICE

Certiorari to the Colorado Court of Appeals, 2020CA218

Docketed: July 27, 2022

At Issue: August 22, 2023

ISSUE(S):

[REFRAMED] Whether school officials' knowledge of a student's prior adjudications, resulting from off-campus behavior and which prompted the school to impose a safety plan, can justify seizing him at school and conducting a warrantless search of his backpack.

2022SC562 (1 HOUR)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Anthony Robert Smith.

For the Petitioner:

Matthew S. Holman
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

Adrienne R. Teodorovic
TEODOROVIC LAW, P.C.

Certiorari to the Colorado Court of Appeals, 2019CA2359

Docketed: August 02, 2022

At Issue: August 24, 2023

ISSUE(S):

Whether the postconviction court correctly held that defendant waived his pro se claims where the claims were conclusory and defense counsel pursued other claims but not these.

[REFRAMED] Whether defense counsel, as captain of the ship, may decline to pursue and abandon individual pro se claims absent defendant's informed consent to such abandonment.

[REFRAMED] Whether abandonment of individual postconviction claims required a showing of an intent to abandon such claims.
