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# Boucher v. IHC : Unknown

Utah Supreme Court

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### Recommended Citation

Legal Brief, *Boucher v. IHC*, No. 900476.00 (Utah Supreme Court, 1990).  
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**FILED**

May 15, 1991

MAY 17 1991

CLERK SUPREME COURT,  
UTAH

Geoffrey J. Butler  
 Clerk of the Court  
 Utah Supreme Court  
 332 State Capitol Bldg.  
 Salt Lake City, UT 84114

Re: Daniel Boucher, *et al.* v. Dixie Medical Center, a division of IHC, Inc.;  
 Edward Foxley, M.D.; David Moore, M.D.; Kathy Marshall, R.N., and  
 Does 1 - 20; Case No. 900476  
 Firm File No. 2292-1

Dear Mr. Butler:

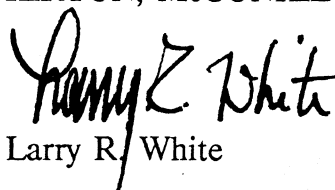
Pursuant to the Utah Rules of Appellate Procedure, Rule 24(j), the attorneys for Dixie Medical Center, a division of Intermountain Health Care, Inc., Dr. Edward Foxley, M.D., and Kathy Marshall, R.N. refer the Court to the case of *Williams v. Baker*, 572 A.2d 1062 (D.C. App. 1990). This recently decided case pertains to the negligent infliction of emotional distress issue raised in Point II of the respondents' brief on pages 9 through 18.

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The reason for referring the Court to this case is that it involves a medical malpractice action where the zone of physical danger doctrine was adopted, and the dismissal of a claim for negligent infliction of emotional distress was affirmed after a hearing *en banc* before the District of Columbia Court of Appeals.

Sincerely,

KIRTON, McCONKIE & POELMAN

A handwritten signature in black ink, appearing to read "Larry R. White". The signature is written in a cursive style with a large initial "L".

Larry R. White

LRW/ph  
Enclosure

cc: Irwin Zalkin, Esq.  
Thomas Rasmussen, Esq.  
David Slagle, Esq.  
Larry Laycock, Esq.