

**DISTRICT COURT OF THE STATE OF UTAH  
THIRD JUDICIAL DISTRICT  
SALT LAKE COUNTY**

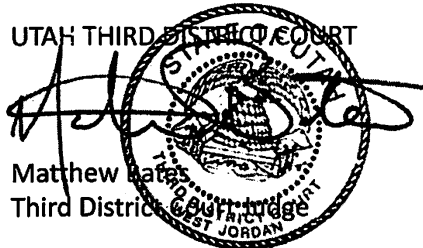
<p>EXPRESS RECOVERY SERVICES, INC., Plaintiff,</p> <p>vs.</p> <p>DANE BARTHOLOMEW, Defendant.</p>	<p><b>ORDER</b></p> <p>Case Number 230404004 Judge Matthew Bates</p>
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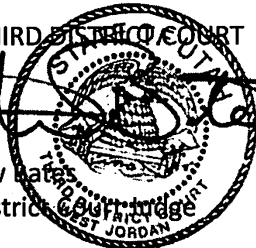
Before the Court is Plaintiff's motion for summary judgment. Summary judgment is appropriate when "the moving party shows that there is no genuine dispute as to any material fact and the moving party is entitled to judgment as a matter of law." Utah R. Civ. P. 56(a). Here, Plaintiff has placed into the record evidence that (1) it is a debt collection agency organized under the laws of the State of Utah, (2) it was assigned a debt against Defendant by Dominion Energy Services, Inc., (2) Defendant had an account with Dominion Energy Services, Inc., and (4) the past due balance on the account is \$286.41 plus interest and attorney fees.

Defendant responded to the motion for summary judgment and asserted that he believed that he had paid the debt in full, that neither Dominion Energy Services, Inc. nor Plaintiff properly notified him of the debt, and that he has repeatedly attempted to pay the debt. But Defendant has not provided evidence to support his assertions. The responding party to a motion for summary judgment has an obligation to support his factual assertions by "citing to particular parts of materials in the record, including depositions, documents, electronically stored information, affidavits or declarations, stipulations (including those made for purposes of the motion only), admissions, interrogatory answers, or other materials." Utah R. Civ. P. 56(c)(1)(A).

Because Defendant provided no evidence in opposition to Plaintiff's motion, the Court finds that the facts are undisputed and that Plaintiff is entitled to judgment as a matter of law on its claims.

DATED this 10th day of June, 2024

UTAH THIRD JUDICIAL DISTRICT COURT  
  
Matthew Bates  
Third District Judge



**CERTIFICATE OF NOTIFICATION**

I certify that a copy of the attached document was sent to the following people for case 230404004 by the method and on the date specified.

MAIL: DANE BARTHOLOMEW 13304 S NASHI LN DRAPER, UTAH 84020

MANUAL EMAIL: JONATHAN HANKS JONATHAN@PRIMUS.LAW

06/10/2024

/s/ BRENDA L KLEINLEIN

Date: \_\_\_\_\_

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Signature