

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Rita Florian Pingree v. University of Utah and Caroline Milne

Pingree · No. 2:20-cv-00724-JNP-CMR · Decided February 26, 2026

SUMMARY

The United States District Court for the District of Utah denied Defendants’ motion for judicial notice under Federal Rule of Evidence 201. The court held that statements in its prior summary judgment ruling were not adjudicated facts and remained subject to reasonable dispute, although the court could instruct the jury on prior legal rulings where appropriate.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Jill N. Parrish
JURISDICTION	United States District Court for the District of Utah
DECIDED	February 26, 2026
DOCKET	2:20-cv-00724-JNP-CMR
DISPOSITION	denied
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Evidence 201 for judicial notice of purported facts drawn from the court's prior summary judgment ruling.
STANDARD OF REVIEW	The court applied Federal Rule of Evidence 201(b), requiring the proponent of judicial notice to establish that the fact is not subject to reasonable dispute.
PRECEDENTIAL VALUE	Unknown

TOPICS

judicial notice summary judgment evidence civil procedure

PRACTICE AREAS

civil procedure evidence

QUESTIONS PRESENTED

1. Whether the court should take judicial notice under Federal Rule of Evidence 201(b) of statements characterized by Defendants as facts from the court's prior summary judgment ruling.
2. Whether statements in a summary judgment ruling resolving the existence of genuine disputes of material fact constitute facts not subject to reasonable dispute.

HOLDINGS

1. The court denied judicial notice because Defendants did not show that the purported facts were not subject to reasonable dispute under Federal Rule of Evidence 201(b).

KEY QUOTATIONS

“Under Federal Rule of Evidence 201(b), a court may take judicial notice of “a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court’s territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.””

“While Defendants characterize these statements as facts, the court was not making findings of fact. Rather, it was determining if the parties had identified genuine disputes of material fact such that the movant was entitled to judgment as a matter of law.”

FACTUAL BACKGROUND

Defendants sought judicial notice of various statements contained in the court's prior summary judgment ruling. The prior ruling addressed whether the parties had identified genuine disputes of material fact and whether the movant was entitled to judgment as a matter of law; it did not make findings of fact. The court also noted that parties may leave facts undisputed for purposes of summary judgment while retaining the ability to challenge those facts at trial.

PROCEDURAL HISTORY

The case was pending before the United States District Court for the District of Utah. Defendants requested judicial notice of statements in the court's earlier summary judgment decision. The court denied the motion, concluding that the statements were not adjudicated facts and remained subject to reasonable dispute.

DISPOSITION

denied

CASES CITED

- Osage Tribe of Indians of Oklahoma v. United States, 95 Fed. Cl. 469, 472 (2010)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH RITA FLORIAN PINGREE, MEMORANDUM DECISION AND Plaintiff, ORDER ON REQUEST

FOR JUDICIAL NOTICE v. UNIVERSITY OF UTAH and CAROLINE Case No. 2:20-cv-00724-JNP-CMR MILNE, Chief District Judge Jill N. Parrish Defendants.

Before the court is Defendants' motion for the court to take judicial notice of certain facts pursuant to Federal Rule of Evidence 201. ECF No. 203. For the following reasons, the court denies Defendants' motion. **LEGAL STANDARD** Under Federal Rule of Evidence 201(b), a court may take judicial notice of "a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court's territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Fed.

R. Evid. 201(b). **DISCUSSION** Defendants ask the court to take judicial notice of various "facts" from the court's prior summary judgment ruling. See ECF No. 157. They cite only to *Osage Tribe of Indians of Oklahoma v. United States*, in which the court stated that "[i]t is settled, of course, that the courts, trial and appellate, take notice of their own respective records in the present litigation, both as to matters occurring in the immediate trial, and in previous trials and hearings." 95 Fed.

Cl. 469, 472 (2010). The court in that case, however, was discussing a decision to take judicial notice of testimony from a prior proceeding in the same matter. /d. Here, the court does not find it appropriate to take judicial notice of certain statements from its summary judgment ruling. While Defendants characterize these statements as facts, the court was not making findings of fact.

Rather, it was determining if the parties had identified genuine disputes of material fact such that the movant was entitled to judgment as a matter of law. See Fed. R. Civ. P. 56(a). And, parties are not obligated to dispute every fact in the procedural context of a summary judgment motion. Indeed, parties sometimes choose not to contest certain facts for purposes of summary judgment.

But that does not prevent them from challenging those facts at trial. Accordingly, the court finds that Defendants have not met their burden of showing that these "facts" are not subject to reasonable dispute. Fed. R. Evid. 201(b).

The court may, however, where appropriate during the course of the trial, instruct the jury with respect to its prior legal rulings on issues or claims. **CONCLUSION** For the reasons above, the court **DENIES** Defendants' motion. ECF No. 203. Signed February 26, 2026. BY THE COURT JUIN. Parrish United States Chief District Judge