SUPREME COURT, STATE OF COLORADO
Oral Argument: Tuesday, December 15, 2026
Bailiff: Chambers of Justice Hood

9:00 a.m.
EN BANC

25SC286 (1 HOUR)

Petitioners:

Twin Shores Master Owners Association, Inc. and Hammersmith Management, Inc,

v.

Respondent:

Tiffani Willis.

For the Petitioners:
Heather A. Salg
Adam Weiss
SGR, LLC

For the Respondent:
R. Keith Fuicelli
Matthew Gurkin
FUICELLI & LEE, P.C.
Nelson Boyle
SINGLETON SCHREIBER LLP

Certiorari to the Court of Appeals, 2024CA369
Docketed: May 15, 2025
At Issue: July 20, 2026

ISSUE(S)

[REFRAMED] Whether the division erred in holding that as to an association, a unit owner's guest is afforded invitee status under the Premises Liability Act, section 13-'21-'115, C.R.S. (2025), in areas that are part of the common elements owned and controlled by the association.

SUPREME COURT, STATE OF COLORADO
Oral Argument: Tuesday, December 15, 2026
Bailiff: Chambers of Justice Hood

10:00 a.m.
EN BANC

25SC231 (1 HOUR)

Petitioner/Cross-Respondent:

Public Service Company of Colorado d/b/a Xcel Energy,

v.

Respondents/Cross-Petitioners:

Estate of Carol Ross, by and through its personal representatives Derek Ross and Tanya Weindler.

For the Petitioner/Cross-Respondent:
Theresa Wardon Benz
Jackie V. Roeder
Tess Hand-Bender
Aditi Kulkarni-Knight
Claire E. Mueller
DAVID GRAHAM & STUBBS LLP

For the Respondents/Cross-Petitioners:
Michael S. Burg
David K. TeSelle
Holly B. Kammerer
Jessica B. Prochaska
Shane C. Fulton
D. Dean Batchelder
BURG SIMPSON ELDREGE HERSH & JARDINE, P.C.

For Amicus Curiae, The Colorado Civil Justice League, The National Federation of Independent Business Small Business Legal Center, Inc:
Evan Stephenson
Phoebe Schneider
SPENCER FANE LLP

Certiorari to the Court of Appeals, 2023CA1537
Docketed: April 18, 2025
At Issue: September 22, 2026

ISSUE(S)

Whether, as a matter of first impression, the "felonious killing" exception to the Wrongful Death Act's cap on noneconomic damages, § 13'21'203(1)(a), C.R.S. (2024), by its plain language applies only to individuals and not corporations.

[CONTINUED ON FOLLOWING PAGE]

SUPREME COURT, STATE OF COLORADO 10:00 a.m.
Oral Argument: Tuesday, December 15, 2026 EN BANC
Bailiff: Chambers of Justice Hood

[CONTINUED}

Whether, in determining the amount a plaintiff is entitled to recover in a wrongful death action, the court of appeals erred in, *first*, applying § 13'-21-'203(1)(a), C.R.S. (2024) to reduce the jury's award of noneconomic damages to the Wrongful Death Act's cap amount and then, *second*, applying the defendant's proportionate percentage of liability to further reduce the recovery.

SUPREME COURT, STATE OF COLORADO
Oral Argument: Tuesday, December 15, 2026
Bailiff: Chambers of Justice Hood

1:00 p.m.
EN BANC

26SC177 (1 HOUR)

Petitioner:

The People of the State of Colorado,

In the Interest of

Petitioners:

S.K.F., Y.Y.F., and A.N.F.

and Concerning

Respondent:

R.J.F.

For the Petitioner, El Paso County Department of Human Services:
Melanie E. Gavisk
OFFICE OF THE EL PASO COUNTY ATTORNEY

For the Petitioners, Appellate Guardian ad Litem for S.K.F. and Appellate Counsel for Y.Y.F. and A.N.F.:
Josi McCauley
JOSI MCCAULEY LLC

For the Petitioners, Counsel for S.K.F.:
Jenna L. Mazzucca
JENNA L. MAZZUCCA ESQ, P.C.

For the Respondent:
John F. Poor
JUST LAW GROUP, LLC

Certiorari to the Court of Appeals, 2025CA206
Docketed: March 25, 2026
At Issue: October 6, 2026

ISSUE(S)

Whether the court of appeals erred in finding that the El Paso County Department (the "Department") restricted family time without a court order and thereby did not make reasonable efforts.

[REFRAMED] Whether the court of appeals erred in failing to apply the clearly erroneous standard of review to the lower court's finding that reasonable efforts were made.

[REFRAMED] Whether the court of appeals erred in construing section 19- 3-217, C.R.S. (2025), as being dispositive of whether reasonable efforts were made in this case.

SUPREME COURT, STATE OF COLORADO
Oral Argument: Tuesday, December 15, 2026
Bailiff: Chambers of Justice Hood

2:00 p.m.
EN BANC

26SA86 (1 HOUR)

Plaintiff:

James Berns,

v.

Defendant:

State Farm Mutual Automobile Insurance Company.

For the Plaintiff:
John G. Taussig, III
Scott D. Smith
TAUSSIG & SMITH, P.C.
Ryan D. Malnar
MALNAR INJURY LAW
Nelson Boyle
SINGLETON SCHREIBER LLP

For the Defendant:
Karl A. Chambers
PATTERSON RIPPLINGER, P.C.

For Amicus Curiae, Colorado Defense Lawyers Association:
Katie B. Johnson
SUTTON BOOKER, P.C.

For Amicus Curiae, Policyholders and Colorado Trial Lawyers Association:
Nelson A. Waneka
WESTERN SLOPE LAW
Robyn Levin
LEVIN SITCOFF P.C.

Certification of Question of Law, U.S. District Court for the District of Colorado, 2024CV1971-GPG-NRN
Docketed: March 19, 2026
At Issue: October 23, 2026

ISSUE(S)

The court accepted the following certified question:

[CONTINUED ON FOLLOWING PAGE]

SUPREME COURT, STATE OF COLORADO 2:00 p.m.
Oral Argument: Tuesday, December 15, 2026 EN BANC
Bailiff: Chambers of Justice Hood

[CONTINUED]

In an insurance bad faith case, there appear to be two competing principles: the "suspension rule" and the rule that an insurer owes a continuing duty of good faith to its insured that continues after the filing of a lawsuit. In the face of these two principles, when and to what extent is discovery allowed into an insurer's postlitigation claim notes or claim file, and its post-litigation evaluation of the claim?