Court of Appeals, Division One

Civil Appeal

1 CA-CV 14-0022 OXFORD et al. v. LANDMARC

Appellate Case Information

Case Filed: 10-Jan-2014

Case Closed:

Dept/Composition

Department B

Hon. Diane M Johnsen
Hon. Kent E Cattani
Hon. John C Gemmill

Consolidated with: 1 CA-CV 14-0516

Side 1. OXFORD INVESTORS PARTNERS, LLC, an Arizona limited liability company; PK HOLDINGS, LLC, RHONDA KAYE SOLHEIM FAMILY TRUST U/A 05/09/77, SPRUCE AVENUE LTD. PARTNERSHIP, LLP, OXTOX HOLDINGS, LLC, and THE 1977 GILL TRUST U/A 12/07/77

, Plaintiff/Appellee-Cross Appellant

(Litigant Group) OXFORD INVESTORS PARTNERS

- **Oxford Investors Partners LLC**
- **PK Holdings LLC**
- **Rhonda Kaye Solheim Family Trust U/A 05/09/77**
- **Spruce Avenue Ltd Partnership LLP**
- **Oxtox Holdings LLC**
- **1977 Gill Trust U/A 12/07/77**

Attorneys for: Plaintiff/Appellee-Cross Appellants

David N Ramras, Esq. (AZ Bar No. 2826)

Side 2. LANDMARC CAPITAL PARTNERS, LLC, an Arizona limited liability company, Defendant/Appellant-Cross Appellee

(Litigant Group) LANDMARC CAPITAL PARTNERS

- **Landmarc Capital Partners LLC**

Attorneys for: Defendant/Appellant-Cross Appellee

Kent A Lang, Esq. (AZ Bar No. 10041)

William G Klain, Esq. (AZ Bar No. 15851)

George H King, Esq. (AZ Bar No. 13287)

Russell Piccoli, Esq. (AZ Bar No. 4492)

CASE STATUS

Dec 29, 2016....Decision Rendered

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2009-020595	Application for Appointment of Receiver, Injunction and Order to Show Cause		Lisa Daniel Flores, Authoring Judge of Order		
MAR	CV2009-050052					

OPEN DUE DATE

Petition for Review to ASC due **Due By:** Monday, January 30, 2017

Re: MEMORANDUM DECISION (Reversed, Remanded) Hon Kent E Cattani - Author; Hon Diane M Johnsen - Concur; Hon John C Gemmill - Concur

CASE DECISION

29-Dec-2016 MEMORANDUM DECISION

Kent Cattani.....Author
Diane Johnsen.....Concur
John Gemmill.....Concur

Filed: **29-Dec-2016** Mandate:

Decision Disposition
Reversed
Remanded

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

1 CA-CV 14-0516 OXFORD et al. v. LANDMARC

Information presented in this document may not reflect all case activity and is subject to change without notice.

Court of Appeals, Division One

Civil Appeal

1 CA-CV 14-0022 OXFORD et al. v. LANDMARC

49 PROCEEDING ENTRIES

1.	10-Jan-2014	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 12/03/13 Bond filed in Superior Court: 12/6/13 Docketing Statement filed in Superior Court: 12/17/13; Amended filed 12/23/13
2.	10-Jan-2014	FILED: e-Record on Appeal (CV2009-020595): Instruments/Minute Entries
3.	10-Jan-2014	FILED: e-Record on Appeal (CV2009-050052): Instruments/Minute Entries
4.	21-Jan-2014	FILED: Notice to Counsel re: Appellant's Fee/Brief Due
5.	4-Feb-2014	FILED: Notice of Payment of Appellants Filing Fee; Certificate of Service (Appellant)
6.	7-Feb-2014	RECEIPT No.: 2014-00183 ; $280.00, Authorization: #37016423350, Applied to: LANDMARC CAPITAL PARTNERS - Class A Filing Fee ($280.00) Paid for: Lang Baker & Klain PLC - By Integrated Resource Systems IN
7.	14-Feb-2014	FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
8.	18-Feb-2014	FILED: Notice of Filing Appellees' Filing Fee; Certificate of Filing and Service of Notice of Filing Filing Fee of Appellees (Appellee)
9.	21-Feb-2014	RECEIPT No.: 2014-00237 ; $140.00, Authorization: #51012551272, Applied to: OXFORD INVESTORS PARTNERS - Class B Filing Fee ($140.00) Paid for: David N Ramras - By Integrated Resource Systems
10.	28-Feb-2014	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
11.	3-Mar-2014	FILED: (STRICKEN PER ORDER 9/18/14) Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
12.	3-Mar-2014	FILED: Stipulation for Leave for Appellant to File Replacement Opening Brief; Certificate of Service (Appellant)
13.	7-Mar-2014	ORDERED: accepting the opening brief filed on 3/3/14 in place of the brief filed on 2/28/14. Melina Brill ProTem Judge - Author
14.	11-Mar-2014	FILED: Motion for Award of Attorneys' Fees and Notice of Claim of Entitlement to Award of Attorneys' Fees; Certificate of Service (Appellant)
15.	7-Apr-2014	FILED: Stipulation; Certificate of Filing and Service of Stipulation (Appellee)
16.	8-Apr-2014	ORDERED: extending the time for filing the answering brief to and including 5/19/14. Melina Brill ProTem Judge - Author
17.	1-May-2014	FILED: Stipulation to Stay Briefing Schedule and to Consolidate Appeals; Certificate of Service (Appellee)
18.	8-May-2014	ORDERED: staying this appeal until further order. FURTHER ORDERED: within (10) calendar days after appellant files a notice of appeal from an appealable order memorializing the 4/17/14 ruling, appellant shall file written notice in this appeal, along with a copy of the notice of appeal and the order being appealed. FURTHER ORDERED: appellant shall file a status report on or before 6/9/14, indicating the status of the superior court proceedings. Melina Brill ProTem Judge - Author
19.	6-Jun-2014	FILED: Appellant's Status Report; Certificate of Service (Appellant)
20.	11-Jun-2014	ORDERED: continuing the stay of this appeal for the purposes set forth in this court's 5/8/14 order. FURTHER ORDERED: within 10 calendar days after appellant files a notice of appeal from an acceptable order memorializing the 4/17/14 ruling, appellant shall file written notice in this appeal, along with a copy of the notice of appeal and the order being appealed. FURTHER ORDERED: appellant shall file a status report on or before 7/9/14, indicating the status of the superior court proceedings. Melina Brill ProTem Judge - Author
21.	8-Jul-2014	FILED: Appellant's Status Report; Certificate of Service; Exhibit 1 to Appellant's Status Report; Exhibit 2 to Appellant's Status Report (NOA) (Appellant)
22.	11-Jul-2014	ORDERED: continuing the stay of this appeal. FURTHER ORDERED: within ten calendar days after the appeal is docketed, appellant shall file a motion to consolidate the appeals. FURTHER ORDERED: appellant shall file a status report on or before 8/25/14, if the appeallant has not filed a motion to consolidate the appeals. Melina Brill ProTem Judge - Author

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49 PROCEEDING ENTRIES

23.	25-Aug-2014	FILED: Appellant's Status Report; Certificate of Service (Appellant)
24.	9-Sep-2014	FILED: Stipulation to Consolidate Appeals, Request for Consolidated Briefing Schedule, and Stipulation to Correct Caption of Appeals; Certificate of Service (Appellant)
25.	18-Sep-2014	ORDERED: consolidating case 1 CA-CV 14-0022 with 1 CA-CV 14-0516. Case no. 1 CA-CV 14-0022 is designated the primary number. FURTHER ORDERED: amending the caption in this consolidated appeal to reflect the proper parties. FURTHER ORDERED: striking the opening brief filed on 3/3/14. FURTHER ORDERED: opening brief in this consolidated appeal shall be filed on or before 10/16/14. Melina Brill ProTem Judge - Author
26.	15-Oct-2014	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
27.	12-Nov-2014	FILED: Appellee's Request for Oral Argument; Certificate of Filing and Service of Request for Oral Argument (Appellee)
28.	12-Nov-2014	FILED: Appellees' Answering Brief and Opening Brief on Cross-Appeal; Appellees' Certificate of Compliance; Certificate of Filing and Service of Appellee's Answering Brief (Appellee)
29.	12-Nov-2014	FILED: Appendix to Appellees' Answering Brief; Certificate of Filing and Service of Appellees' Appendix to Answering Brief (Appellee)
30.	23-Dec-2014	FILED: Stipulation to Extend the Deadline for Landmarc Capital Partners to File Its Response/Reply Brief t January 12, 2015; Certificate of Service (Appellant)
31.	23-Dec-2014	ORDERED: Stipulation to Extend the Deadline for Landmarc Capital Partners to File Its Response/Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 12-29-2014 to Monday, 01-12-2015. FURTHER ORDERED: amending caption by adding "cross-appellants"/"cross-appellee". Melina Brill ProTem Judge - Author
32.	12-Jan-2015	FILED: Appellant's Combined Reply and Answering Brief; Certificate of Compliance; Certificate of Service
33.	13-Jan-2015	FILED: Defendant/Appellant/Cross-Appellee's Request for Oral Argument; Certificate of Service (Appellant)
34.	16-Jan-2015	FILED: Defendant/Appellant/Cross-Appellee's Notice of Supplemental Authority; Certificate of Service
35.	23-Jan-2015	FILED: Appellees'\Cross-Appellants' Reply Brief on Cross-Appeal; Appellees'\Cross-Appellants' Certificate of Compliance re Reply Brief on Cross-Appeal; Certificate of Filing and Service of Appellees'\Cross-Appellants' Reply Brief on Cross-Appeal
36.	23-Jan-2015	FILED: Appellees'\Cross-Appellants' Certificate of Compliance re Reply Brief on Cross-Appeal; Certificate of Filing and Service of Certificate of Compliance re Reply Brief on Cross-Appeal
37.	23-Jan-2015	FILED: Certificate of Filing and Service of Appellees'-Cross-Appellants' Reply Brief on Cross-Appeal
38.	13-Feb-2015	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
39.	19-Feb-2015	ORDERED: granting requests for oral argument = GRANTED. Hon Diane M Johnsen - Author
40.	19-Jun-2015	FILED: Notice re Scheduling of Oral Argument; Certificate of Filing and Service of Notice re Scheduling of Oral Argument (Appellees/Cross-Appellants)
41.	19-Jun-2015	FILED: Appellant's Notice of Its Counsel's Unavaialability for Oral Argument Between August 9, 2015 and August 25, 2015; Certificate of Service (Appellant Landmarc Capital)
42.	30-Sep-2015	CLNDR: MONTHLY COURT CASE CALENDAR, Department B, 11-3-15, 10:15 am, COURTROOM 1.
43.	2-Oct-2015	FILED: Notice of Oral Argument
44.	2-Oct-2015	FILED: Return Receipt for Notice of Oral Argument signed by David Ramras on 10/02/15; Certificate Of Filing And Service Of Appellees' Return Receipt For Notice Of Oral Argument (Appellee/Cross-Appellant)
45.	5-Oct-2015	FILED: Return Receipt for Notice of Oral Argument signed by Russell Piccoli on 10/02/15; Certificate of Service (Appellant/Cross-Appellee)
46.	23-Oct-2015	FILED: Appellant's Supplemental Citation of Legal Authority; Certificate of Service
47.	3-Nov-2015	FILED: Sign-in Sheet/Case is Under Advisement (Dept B)
48.	29-Dec-2016	MEMORANDUM DECISION (Reversed, Remanded) Hon Kent E Cattani - Author; Hon Diane M Johnsen - Concur; Hon John C Gemmill - Concur

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49 PROCEEDING ENTRIES

49.	29-Dec-2016	FILED: Memorandum Decision Distribution List

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