

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0212

HIDDEN VALLEY v. ENGELSTAD et al.

Appellate Case Information

Case Filed: 2-Apr-2015
Case Closed:

Dept/Composition

Department B
Hon. Randall M Howe
Hon. Lawrence F Winthrop
Hon. Jon W Thompson

Consolidated with: 1 CA-CV 14-0780 1 CA-CV 16-0075

Side 1. HIDDEN VALLEY RANCH I, LLC, Plaintiff/Appellant

(Litigant Group) HIDDEN VALLEY RANCH I LLC

- Hidden Valley Ranch I LLC

Attorneys for: Appellants

Scott M Theobald, Esq. (AZ Bar No. 12383)
Mark A Nickel, Esq. (AZ Bar No. 24993)

Side 2. ROBERT CHARLES ENGELSTAD and DOLORES ANN ENGELSTAD REVOCABLE TRUST, et al., Defendant/Appellee

(Litigant Group) ROBERT C ENGELSTAD et al.

- Robert Charles & Dolores Ann Engelstad Revocable Trust
- Gerald L Deetz
- Carol A Deetz
- Lister Family Revocable Trust
- Patrick E Gallagher Revocable Trust
- Robert C Engelstad
- Winston C Lister
- Patrick E Gallagher

Attorneys for: Appellees

Paul J Roshka, Jr, Esq. (AZ Bar No. 9285)
Craig M Waugh, Esq. (AZ Bar No. 26524)

CASE STATUS

Nov 28, 2016....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2014-003681	Declaratory Judgment		Robert H Oberbillig, Authoring Judge of Order		

47 PROCEEDING ENTRIES

1. 2-Apr-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 03/04/15; Amended Notice of Appeal from Maricopa County filed 3/5/15
Docketing Statement filed in Superior Court: 3/18/15
2. 2-Apr-2015 FILED: e-Record on Appeal:
Instruments/Minute Entries
3. 9-Apr-2015 FILED: Notice to Parties re: Appellant's Fee/Brief Due
4. 22-Apr-2015 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellant)
5. 27-Apr-2015 RECEIPT No.: 2015-00556 ; \$280.00, Authorization: 17007286831, Applied to: HIDDEN VALLEY RANCH I LLC - Class A Filing Fee (\$280.00) Paid for: HIDDEN VALLEY RANCH LLC - By Integrated Resource Systems IN
6. 4-May-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
7. 18-May-2015 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellees)
8. 21-May-2015 RECEIPT No.: 2015-00708 ; \$140.00, Authorization: 40018021246, Applied to: ROBERT C ENGELSTAD et al. - Class B Filing Fee (\$140.00) Paid for: Polsinelli PC - By Integrated Resource Systems IN
9. 7-Jun-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (stricken per amended order filed 2/29/16 - rsl)

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10. 9-Jul-2015 FILED: Motion to Consolidate Appeal with Appellate Case No. 1CA-CV 14-0780; Certificate of Service; Exhibits 1 through 4 (Appellee)
11. 21-Jul-2015 FILED: Motion to Continue Deadline to File Appellees' Answering Brief; Certificate of Service (Appellee)
12. 22-Jul-2015 ORDERED: Motion to Continue Deadline to File Appellees' Answering Brief (Appellee) = DENIED. FURTHER ORDERED: Vacating the 7/22/15 due date for the Answering Brief. The order ruling on the pending motion to consolidate will either set a due date for the Answering Brief or stay the appeal. Barbara Vidal Vaught ProTem Judge - Author
13. 28-Jul-2015 FILED: Appellant's Response to Appellees' Motion to Consolidate Appeal With Appellate Case No. CA-CV 14-0780; Certificate of Service; Exhibit 1 (Appellant)
14. 6-Aug-2015 FILED: Appellees' Reply in Support of Motion to Consolidate Appeal with Appellate Case No. 1 CA-CV 14-0780; Certificate of Service; Exhibits 1 and 2 to Reply (Appellee)
15. 12-Aug-2015 ORDERED: Motion to Consolidate Appeal with Appellate Case No. 1CA-CV 14-0780 (Appellee) = GRANTED and consolidating case 1 CA-CV 14-0780 with 1 CA-CV 15-0212. Case no. 1 CA-CV 14-0780 is designated primary number. FURTHER ORDERED: Staying this consolidated appeal until further order. FURTHER ORDERED: Directing appellants to file a status report on/before 10/2/15 indicating status of Maricopa Superior Court case no. CV2015-003361, including whether court has issued final judgment or order and if so, whether any notice of appeal has been or will be filed. Melina Brill ProTem Judge - Author
16. 18-Sep-2015 FILED: Third Status Report Re: Confirmation Proceedings; Certificate of Service (Appellant)
17. 8-Oct-2015 ORDERED: (Third Status Report Re: Confirmation Proceedings) staying this appeal until further order. FURTHER ORDERED: Directing appellants to file a status report on/before 11/23/15 indicating status of appeal, including case number and whether superior court ruled on motion to strike. Melina Brill ProTem Judge - Author
18. 12-Nov-2015 FILED: Appellees' Response to Appellants' Motion Pursuant to ARCAP Rule 7(c) to Stay The Document - Delivery Portion of The Superior Court's September 8, 2015 Order Pending Final Resolution of Appeals; Certificate of Service (Appellee)
19. 17-Nov-2015 RECEIPT No.: 2015-01603 ; \$140.00, Authorization: #20025776552, Applied to: ROBERT C ENGELSTAD et al. - Class B Filing Fee (\$140.00) Paid for: Polsinelli PC - By Integrated Resource Systems IN (Memo: Overpayment - see Rcpt 2015-00708 - Refund Needed)
20. 17-Nov-2015 RECEIPT No.: 2015-01604 ; \$140.00, Authorization: #20025776552, Applied to: ROBERT C ENGELSTAD et al. - Overpayment Class B (\$140.00) Paid for: Polsinelli PC - By Integrated Resource Systems IN (Memo: x-ref 2015-01603 Overpayment - see Rcpt 2015-00708 - Refund Needed)
21. 17-Nov-2015 VOID RECEIPT No.: 2015-01603 - \$-140.00, Authorization: #20025776552, - Applied to: ROBERT C ENGELSTAD et al. - Class B Filing Fee (\$-140.00) Paid for: Polsinelli PC - By: Integrated Resource Systems IN (Memo: Overpayment - see Rcpt 2015-00708 - Refund Needed) VOID Reason: x-ref 2015-01604 incorrect receivable. alc
22. 23-Nov-2015 FILED: Fourth Status Report Re: Confirmation Proceedings; Certificate of Service (Appellant)
23. 1-Dec-2015 FILED: Letter, 12/1/15, from Court to Polsinelli, PC re: refund of monies submitted in error
24. 7-Dec-2015 ORDERED: Fourth Status Report Re: Confirmation Proceedings; (Appellant) = GRANTED/continuing stay of this appeal until further notice. FURTHER ORDERED: Directing appellants to file status report on/before 2/5/16, indicating whether superior court entered a final appealable order in confirmation proceedings and if so, whether appellants have filed or will file a notice of appeal and case number of such appeal. Melina Brill ProTem Judge - Author
25. 14-Jan-2016 FILED: Motion Pursuant to ARCAP Rule 7(c) to Stay the Document-Delivery Portion of the Superior Court's September 8, 2015 Order Pending Final Resolution of Appeals; Certificate of Service (Appellant)
26. 15-Jan-2016 FILED: Notice of Filing of Final Judgment Confirming Arbitration Award; Certificate of Service (Appellant)
27. 19-Jan-2016 ORDERED: directing appellees to file a response (to Motion to Stay) on/before 2/2/16. FURTHER ORDERED: Directing appellants to file a reply on/before 2/12/16. FURTHER ORDERED: Staying document-delivery portion of 9/8/15 superior court order pending this court's ruling on current motion to stay. Hon Patricia A Orozco - Author
28. 2-Feb-2016 FILED: Response to Appellants' Motion Pursuant to ARCAP Rule 7(c) to Stay the Document-Delivery Portion of the Superior Court's September 8, 2015 Order Pending Final Resolution of Consolidated Appeals; Certificate of Service (Appellee)
29. 12-Feb-2016 FILED: Joint Reply in Support of Motion Pursuant to ARCAP Rule 7(c) to Stay the Document-Delivery Portion of the Superior Court's September 8, 2015 Order Pending Final Resolution of Consolidated Appeals; Certificate of Service (Appellant)

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30. 26-Feb-2016 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Granting appellant's motion and consolidating case no. 1 CA-CV 16-0075 with the previously-consolidated case nos. 1 CA-CV 14-0780 and 1 CA-CV 15-0212. FURTHER ORDERED: Striking the Opening Brief filed in 1 CA-CV 14-0780 on 2/9/15. FURTHER ORDERED: Appellants shall file an Opening Brief in the consolidated appeal on or before 4/25/16. FURTHER ORDERED: Directing the clerk of this court to place this consolidated appeal on the first available calendar once it is at issue. FURTHER ORDERED: granting appellant's motion to stay the document-disclosure portion of the final judgment entered in Maricopa County CV2015-003361 on 1/15/16. Hon Donn Kessler - Author
31. 29-Feb-2016 ORDERED: amending this court's order dated 2/26/16. FURTHER ORDERED: Striking opening brief filed in 1 CA-CV 14-0780 on 2/9/15 and opening brief filed in 1 CA-CV 15-0212 on 6/7/15. Barbara Vidal Vaught ProTem Judge - Author
32. 24-Mar-2016 FILED: Notice fo Filing of Transcript; Certificate of Service (Transcript of 7/25/15 Oral Argument attached to Notice) (Appellants)
33. 24-Mar-2016 FILED: Case Management Statement for Court of Appeals Case No. 1 CA-CV 16-0075 (Appellants)
34. 25-Apr-2016 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service
35. 27-Apr-2016 FILED: Appellants' Notice of Errata; Certificate of Service; Appellants' Opening Brief
36. 1-Jun-2016 FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellees)
37. 24-Jun-2016 FILED: Notice of Supplemental Authority; Certificate of Service (Appellees)
38. 27-Jun-2016 FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
39. 1-Aug-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
40. 1-Aug-2016 FILED: AMENDED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
41. 4-Aug-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
42. 10-Oct-2016 FILED: Motion for Accelerated Disposition; Certificate of Service
43. 31-Oct-2016 FILED: Notice of Change of Firm's Mailing Address; Certificate of Service (Appellant)
44. 31-Oct-2016 FILED: Appellants' Response to Motion for Accelerated Disposition; Certificate of Service (Appellant)
45. 2-Nov-2016 FILED: Appellees' Response to Motion to Consolidate; Certificate of Service of Appellees' Response to Motion to Consolidate (Appellee)
46. 17-Nov-2016 ORDERED: Denying the Motion to Consolidate. FURTHER ORDERED: Denying Motion for Accelerated Disposition, but placing the appeal on the court's first available calendar. FURTHER ORDERED: Directing the clerk to schedule this appeal for consideration on the first available date on the court's regular calendar. Hon Diane M Johnsen - Author
47. 28-Nov-2016 CLNDR: CONFERENCE, Department B, 1-10-17, COURTROOM 2.