

**Court of Appeals, Division One**  
**Civil Appeal**

**1 CA-CV 15-0263**

**HACKETT v. HACKETT**

<b>Appellate Case Information</b> Case Filed: 27-Apr-2015 Case Closed:	<b>Dept/Composition</b> <b>Department C</b> Hon. Diane M Johnsen Hon. Jon W Thompson Hon. Michael J Brown
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Consolidated with: 1 CA-CV 15-0384

**Side 1. JAMES HACKETT, Plaintiff/Appellant**  
**(Litigant Group) JAMES HACKETT**

- James Hackett PRO SE

**Side 2. DONALD HACKETT, Defendant/Appellee**  
**(Litigant Group) DONALD HACKETT**

- Donald Hackett
- Attorneys for: Defendant/Appellee**  
 H Rudy C Stadelman, Esq. (AZ Bar No. 9311)  
 Mark W Drutz, Esq. (AZ Bar No. 6772)  
 Jeffrey Gautreaux, Esq. (AZ Bar No. 28104)

**CASE STATUS**

Dec 12, 2016....Pending Closure

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YAV V1300CV201480437	Unclassified Civil		Jeffrey G Paupore, Authoring Judge of Order		

**OPEN DUE DATE**

**Petition for Review to ASC due** **Due By:** Tuesday, December 27, 2016

*Re: \* ORDERED: Motion for Reconsideration of Decision (Appellant) = DENIED. ALSO ORDERED: Appellees Motion for Reconsideration of Order Granting Motion to Extend Time by Fourteen Days to File Motion for Reconsideration of Decision (Appellee) = DENIED as moot.*

**CASE DECISION**

**06-Oct-2016 MEMORANDUM DECISION**

(1 CA-CV 15-0384: Appeal Dismissed In Part;Vacated In Part and Remanded; 1 CA-CV 15-0263: Affirmed)

Filed: **06-Oct-2016** Mandate:

**Jon Thompson**.....Author  
**Diane Johnsen**.....Concur  
**Michael Brown**.....Concur

Decision Disposition
<b>Dismissed in Part</b>
<b>Vacated in Part</b>
<b>Remanded</b>
<b>Affirmed</b>

**DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)**

**1 CA-CV 15-0384 HACKETT v. HACKETT**

**35 PROCEEDING ENTRIES**

- 27-Apr-2015 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 04/21/15
- 27-Apr-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
- 4-May-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
- 7-May-2015 FILED: Motion to Dismiss Appeal; Certificate of Service and Filing (Appellee)
- 12-May-2015 RECEIPT No.: 2015-00641 ; \$140.00, Authorization: #31015780271, Applied to: DONALD HACKETT - Class B Filing Fee (\$140.00) Paid for: Musgrove Drutz Kack & Flack PC - By Integrated Resource Systems IN

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6. 18-May-2015 RECEIPT No.: 2015-00681 ; \$280.00, Check Number: #1528, Applied to: JAMES HACKETT - Class A Filing Fee (\$280.00) Paid for: - By JAMES HACKETT
7. 26-May-2015 FILED: Case Management Statement (Appellant Pro Per)
8. 2-Jun-2015 ORDERED: staying appeal to/including 7/20/15 and revesting to Yavapai County Superior Court to consider application by appellant for signed order re: Rule 54(c). FURTHER ORDERED: If superior court grants application, appellant shall file a copy of signed order w/in 10 days after its entry. Appeal will be automatically reinstated. FURTHER ORDERED: If appeal has not been reinstated w/ signed order, appellant shall request to continue stay or appeal may be dismissed. FURTHER ORDERED; If signed order has been filed, opening brief shall be due on 8/19/15. FURTHER ORDERED: Denying appellee's motion to dismiss. Melina Brill ProTem Judge - Author
9. 16-Jun-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record (including Request for signed entry of Final Judgment filed 6/11/15)
10. 24-Jul-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes Signed Judgment pursuant to Rule 54(c) filed 7/14/15)
11. 19-Aug-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service by Mail
12. 28-Sep-2015 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service and Filing
13. 27-Oct-2015 FILED: Motion for Procedural Order to Supplement The Proceedings; Certificate of Service by Mail; James Hackett Attachment 2 Dec 1 2014 Trial Transcripts 1 CA-CV 15-0263.pdf; James Hackett Attachment 3 Court Reporter sig page 1 CA-CV 15-0263.pdf (Appellant)
14. 27-Oct-2015 FILED: Motion to Extend Time by One Day to File Reply Brief; Certificate of Service by Mail (Appellant)
15. 27-Oct-2015 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service by Mail (Appellant Pro Per)
16. 29-Oct-2015 ORDERED: Motion to Extend Time by One Day to File Reply Brief; (Appellant) = GRANTED and accepting brief as filed on 10/27/15. Melina Brill ProTem Judge - Author
17. 10-Nov-2015 FILED: Response to Motion for Procedural Order to Supplement the Proceedings; Certificate of Service and Filing (Appellee)
18. 23-Nov-2015 FILED: Reply to Response to Motion for Procedural Order to Supplement The Proceedings; Certificate of Service (Appellant)
19. 30-Nov-2015 ORDERED: Motion for Procedural Order to Supplement The Proceedings (Appellant) = DENIED. Melina Brill ProTem Judge - Author
20. 15-Dec-2015 FILED: Motion for Reconsideration or in the Alternative Motion to Stay the Appeal to Correct an Omission in the Trial Court Record; Certificate of Compliance; Certificate of Service; Expedited Reply to Response to Request for Signed Entry of Final Judgment and Notice of Lodging Amended Form of Order (Appellant)
21. 17-Dec-2015 ORDERED: Denying the Motion for Reconsideration or in the Alternative Motion to Stay the Appeal to Correct an Omission in the Trial Court Record in its entirety. Hon Diane M Johnsen - Author
22. 31-Mar-2016 CLNDR: CONFERENCE, Department A, 5-10-16, COURTROOM 1. (stricken from calendar per order filed 4/28/16 - rsl)
23. 28-Apr-2016 ORDERED: Consolidating above appeals under 1 CA-CV 15-0263. FURTHER ORDERED: Striking 1 CA-CV 15-0263 from Department A's 5/10/16 calendar and returning consolidated appeals to Clerk of this court for reassignment to next available civil calendar. Hon Margaret H Downie - Author
24. 7-Jul-2016 CLNDR: CONFERENCE, Department C, 9-14-16, COURTROOM 1.
25. 6-Oct-2016 MEMORANDUM DECISION (1 CA-CV 15-0384: Appeal Dismissed In Part; Vacated In Part and Remanded; 1 CA-CV 15-0263: Affirmed) Hon Jon W Thompson - Author; Hon Diane M Johnsen - Concur; Hon Michael J Brown - Concur
26. 6-Oct-2016 FILED: Memorandum Decision Distribution List
27. 12-Oct-2016 FILED: Defendant/Appellee's Verified Statement of Taxable Costs and Notice of Taxation of Costs; Certificate of Service and Filing (Appellee)
28. 26-Oct-2016 FILED: Motion to Extend Time by Fourteen Days to File Motion for Reconsideration of Decision; Certificate of Service (Appellant)

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**35 PROCEEDING ENTRIES**

29. 27-Oct-2016 ORDERED: Motion to Extend Time by Fourteen Days to File Motion for Reconsideration of Decision (Appellant) = GRANTED. Due date EXTENDED from Friday, 10-21-2016 to Wednesday, 11-16-2016. Hon Jon W Thompson - Author
30. 2-Nov-2016 FILED: Appellees Motion for Reconsideration of Order Granting Motion to Extend Time by Fourteen Days to File Motion for Reconsideration of Decision; Certificate of Service and Filing (Appellee)
31. 2-Nov-2016 FILED: Certificate of Service (Appellee)
32. 2-Nov-2016 FILED: Certificate of Compliance; Certificate of Service and Filing (Appellee)
33. 16-Nov-2016 FILED: Motion for Reconsideration of Decision; Certificate of Compliance; Certificate of Service by Mail (Appellant)
34. 5-Dec-2016 ORDERED: awarding Defendant/Appellee his costs in the amount of \$140.00. Amy M Wood - Author
35. 12-Dec-2016 ORDERED: Motion for Reconsideration of Decision (Appellant) = DENIED. ALSO ORDERED: Appellees Motion for Reconsideration of Order Granting Motion to Extend Time by Fourteen Days to File Motion for Reconsideration of Decision (Appellee) = DENIED as moot. Hon Jon W Thompson - Author