

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0368

MIRCHANDANI v. BMO

<p>Appellate Case Information</p> <p>Case Filed: 4-Jun-2015</p> <p>Case Closed: 2-Jul-2015</p> <p>Reinstated x 1: 31-Aug-2015</p> <p>Re-Closed:</p>	<p>Dept/Composition</p> <p>Department A</p> <p>Hon. Kenton D Jones Hon. Randall M Howe Hon. Donn Kessler</p>
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Side 1. HARESH MIRCHANDANI, Plaintiff/Appellant
(Litigant Group) HARESH MIRCHANDANI

• Haresh Mirchandani PRO SE

Side 2. BMO HARRIS BANK, N.A., successor to M&I Marshall and Ilsley Bank, a chartered banking institution; and TradeCor Desert Sky II, LLC, Defendant/Appellee
(Litigant Group) BMO HARRIS BANK NA

• BMO Harris Bank NA

Attorneys for: Defendant/Appellee
Jeffrey J Goulder, Esq. (AZ Bar No. 10258)
Stefan Palys, Esq. (AZ Bar No. 24752)

CASE STATUS

Dec 20, 2016....Decision Rendered

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2011-099950	Breach of Contract; Promissory Estoppel [See file]		David King Udall, Authoring Judge of Order		

2 OPEN DUE DATES

Motion for Reconsideration due **Due By:** Wednesday, January 4, 2017
Re: MEMORANDUM DECISION (Affirmed in Part, Dismissed in Part) Hon Donn Kessler - Author; Hon Kenton D Jones - Concur; Hon Randall M Howe - Concur

Petition for Review to ASC due **Due By:** Thursday, January 19, 2017
Re: MEMORANDUM DECISION (Affirmed in Part, Dismissed in Part) Hon Donn Kessler - Author; Hon Kenton D Jones - Concur; Hon Randall M Howe - Concur

2 CASE DECISIONS

02-Jul-2015 ORDER

 ***Vacated***
ORDERED: granting appellee's motion and dismissing this appeal for lack of jurisdiction.

Melina Brill.....Author

Filed: 02-Jul-2015	Mandate:
Decision Disposition	
Dismissed	

20-Dec-2016 MEMORANDUM DECISION

Donn Kessler.....Author
Kenton Jones.....Concur
Randall Howe.....Concur

Filed: 20-Dec-2016	Mandate:
Decision Disposition	
Affirmed in Part Dismissed in Part	

35 PROCEEDING ENTRIES

1. 4-Jun-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 05/07/15
2. 4-Jun-2015 FILED: e-Record on Appeal: Instruments/Minute Entries

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3. 8-Jun-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4. 10-Jun-2015 FILED: Appellee's Motion to Dismiss the Appeal; Certificate of Service; Exhibit A and B (Appellee)
5. 11-Jun-2015 RECEIPT No.: 2015-00809 ; \$140.00, Check Number: #14161, Applied to: BMO HARRIS BANK NA - Class B Filing Fee (\$140.00) Paid for: - By Stinson Leonard Street
6. 19-Jun-2015 FILED: Response to Motion to Dismiss the Appeal; Certificate of Service; Exhibits 1-8 (Appellant)
7. 23-Jun-2015 FILED: Case Management Statement; Certificate of Service (Appellant Pro Per)
8. 24-Jun-2015 RECEIPT No.: 2015-00874 ; \$280.00, Authorization: #74015248235, Applied to: HARESH MIRCHANDANI - Class A Filing Fee (\$280.00) Paid for: HARESH MIRCHANDANI - By Integrated Resource Systems IN
9. 24-Jun-2015 FILED: Appellee's Reply in Support of its Motion to Dismiss the Appeal; Certificate of Service (Appellee)
10. 25-Jun-2015 FILED: Notice of Objection to BMO Reply on Motion to Dismiss Appeal; Certificate of Service; Exhibit 1 (Appellant)
11. 2-Jul-2015 ORDERED: granting appellee's motion and dismissing this appeal for lack of jurisdiction. Melina Brill ProTem Judge - Author (see order reinstating appeal filed on 8/31/15 - rsl)
12. 9-Jul-2015 FILED: Motion to Reconsider Order Dismissing Appeal Based on the Trial Court's Final Judgment; Certificate of Compliance; Certificate of Service; Exhibits 1-13 to Motion to Reconsider (Appellant)
13. 15-Jul-2015 ORDERED: requesting that appellee file a response to the motion for reconsideration on or before 7/31/15. Appellant may file a reply on or before 8/12/15. Melina Brill ProTem Judge - Author
14. 31-Jul-2015 FILED: Appellee's Response to Motion to Reconsider; Permission by Order; Certificate of Service; Exhibit A (Appellee)
15. 12-Aug-2015 FILED: Reply on Motion to Reconsider Order Dismissing Appeal Based on the Trial Court's Final Judgment Entered 4/8/15; Certificate of Service; Exhibit 1-7 (Appellant)
16. 31-Aug-2015 ORDERED: Motion to Reconsider Order Dismissing Appeal Based on the Trial Court's Final Judgment (Appellant) = GRANTED and reinstating appeal. FURTHER ORDERED: Opening brief shall be filed on/before 9/30/15. Hon Lawrence F Winthrop - Author
17. 17-Sep-2015 FILED: Motion to extend time for opening brief; Certificate of service (Appellant)
18. 18-Sep-2015 ORDERED: Motion to extend time for opening brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 09-30-2015 to Friday, 10-30-2015. Melina Brill ProTem Judge - Author
19. 28-Oct-2015 FILED: Appellant's Opening Brief; Certificate of Compliance Re Appellants Opening Brief; Certificate of Service; Appendix to Opening Brief
20. 6-Nov-2015 FILED: Appellee's Motion to Supplement the Record; Certificate of Service; Proposed Order (Appellee)
21. 30-Nov-2015 FILED: Response to Appellee Motion to Supplement the Record; Certificate of service; Exhibits A B Nov 30 2015 (Appellant)
22. 1-Dec-2015 FILED: Appellee's Reply in Support of the Motion to Supplement the Record; Certificate of Service (Appellee)
23. 8-Dec-2015 ORDERED: Appellee's Motion to Supplement the Record (Appellee) = DENIED without prejudice. FURTHER ORDERED: Denying appellant's request to file a two page supplement to his opening brief. Melina Brill ProTem Judge - Author
24. 10-Dec-2015 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service
25. 30-Dec-2015 FILED: Reply Brief; Certificate of Compliance re: Reply Brief; Certificate of Service (Appellant Pro Per)
26. 15-Jan-2016 FILED: Appellee's Notice of Errata re Answering Brief; Certificate of Service; (Appendix to Appellee's Notice of Errata) Appellee's Answering Brief
27. 28-Jan-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
28. 3-Feb-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
29. 29-Aug-2016 CLNDR: CONFERENCE, Department A, 10-25-16, COURTROOM 2.

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30. 6-Oct-2016 ORDERED: (per Eaton Fruit Co. v. California Spray-Chemical Corp) staying appeal to/including 11/01/2016. Superior Court ruling on application for signed orders corresponding to 05/21/2016 and 06/11/2016 orders due within 10 days after its entry. If a signed order and the timely filed amended notice of appeal have been filed with this court, no further briefing will be permitted on the appeal from such orders. FURTHER ORDERED: vacating this case from the conference currently scheduled for 10/25/2016 and re-scheduling conference of this case to 11/22/2016. Hon Kenton D Jones Judge - Author
31. 27-Oct-2016 FILED: Notice of signed Order Received from Arizona Superior Court; Certificate of Service (Appellant)
32. 28-Oct-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
33. 16-Nov-2016 FILED: Memorandum moving case from 11/22/16 to 11/21/16 (K. Cartier)
34. 20-Dec-2016 MEMORANDUM DECISION (Affirmed in Part, Dismissed in Part) Hon Donn Kessler - Author; Hon Kenton D Jones - Concur; Hon Randall M Howe - Concur
35. 20-Dec-2016 FILED: Memorandum Decision Distribution List