

Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0379

NORTHERN TRUST v. WAREING

Appellate Case Information

Case Filed: 11-Jun-2015
Case Closed:

Dept/Composition

Department D
Hon. Andrew W Gould
Hon. Peter B Swann
Hon. Patricia A Orozco

Side 1. NORTHERN TRUST, NA, a national banking association, Plaintiff/Appellee
(Litigant Group) NORTHERN TRUST NA

- Northern Trust NA
- The Northern Trust Company

Attorneys for: Plaintiff/Appellee
Todd A Burgess, Esq. (AZ Bar No. 19013)
Hannah H Porter, Esq. (AZ Bar No. 29842)

Side 2. JEFFREY D. WAREING and JULIE A. WAREING, husband and wife, Defendant/Appellant
(Litigant Group) JEFFREY D WAREING et al.

- Jeffrey D Wareing
- Julie A Wareing

Attorneys for: Defendants/Appellants
Daniel L Kloberdanz, Esq. (AZ Bar No. 12231)

CASE STATUS

Jan 10, 2017.... Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2011-011851	Breach of Note		Douglas Gerlach, Administrative Law Judge		

DESCENDENT CASE(S)

ASC CV-17-0015-PR

CASE DECISION

08-Dec-2016 MEMORANDUM DECISION

Patricia Orozco.....Author
Andrew Gould.....Concur
Peter Swann.....Concur

Filed: **08-Dec-2016** Mandate:

Decision Disposition

**Reversed
Remanded**

31 PROCEEDING ENTRIES

- 11-Jun-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 05/14/15
- 11-Jun-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
- 16-Jun-2015 FILED: Notice to Parties re: Appellants' Fee/Case Management Statement/Brief Due
- 22-Jun-2015 FILED: Case Management Statement (Appellant)
- 23-Jun-2015 RECEIPT No.: 2015-00867 ; \$280.00, Check Number: 15622, Applied to: JEFFREY D WAREING et al. - Class A Filing Fee (\$280.00) Paid for: - By Berens Kozub Kloberdanz & Blonstein PLC
- 29-Jun-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
- 8-Jul-2015 RECEIPT No.: 2015-00930 ; \$140.00, Check Number: #238495, Applied to: NORTHERN TRUST NA - Class B Filing Fee (\$140.00) Paid for: - By Gallagher & Kennedy P A
- 17-Aug-2015 FILED: Request for Oral Argument; Certificate of Service of Request for Oral Argument on Appeal (Appellant)
- 17-Aug-2015 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service of Appellants' Opening Brief; (Appellants' Opening Brief) Exhibits 1 - 3

Court of Appeals, Division One**Civil Appeal****1 CA-CV 15-0379****NORTHERN TRUST v. WAREING****31 PROCEEDING ENTRIES**

10. 17-Aug-2015 FILED: Appellants' Appendix of Record (Appellant)
11. 17-Aug-2015 FILED: Certificate of Service of Appellants' Appendix of Record
12. 28-Sep-2015 FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
13. 1-Oct-2015 RECEIPT No.: 2015-01361 ; \$140.00, Authorization: #73016443000, Applied to: NORTHERN TRUST NA - Overpayment Class B (\$140.00) Paid for: Gallagher & Kennedy P A - By Integrated Resource Systems IN (Memo: overpayment 2015-00930)
14. 27-Oct-2015 FILED: Appellants' Motion for One Day Extension to File Reply Brief; Certificate of Service (Appellant)
15. 27-Oct-2015 FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service of Appellants' Reply Brief
16. 29-Oct-2015 ORDERED: Motion for One Day Extension to File Reply Brief (Appellant) = GRANTED and accepting brief as filed on 10/27/15. Melina Brill ProTem Judge - Author
17. 9-Nov-2015 FILED: Letter, 11/9/15, from Court to Gallagher & Kennedy re: Refund of monies submitted in error
18. 3-Dec-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
19. 8-Dec-2015 ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Michael J Brown - Author
20. 9-Dec-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
21. 7-Jul-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 9-28-16, 10:15 am, COURTROOM 2.
22. 11-Aug-2016 FILED: Notice of Oral Argument
23. 22-Aug-2016 FILED: Receipt for Notice of Oral Argument, signed by Daniel Kloberbanz on 08/17/2016
24. 25-Aug-2016 FILED: Receipt for Notice of Oral Argument, signed by Todd A Burgess on 08/15/2016
25. 28-Sep-2016 FILED: Sign-in Sheet/Case is Under Advisement as of 09/28/2016 (Dept D)
26. 8-Dec-2016 MEMORANDUM DECISION (Reversed, Remanded) Hon Patricia A Orozco - Author; Hon Andrew W Gould - Concur; Hon Peter B Swann - Concur
27. 8-Dec-2016 FILED: Memorandum Decision Distribution List
28. 19-Dec-2016 FILED: Appellants' Statement of Attorneys Fees and Costs; Certificate of Service; Affidavit in Support of Appellants' Application for Attorney's Fees (Appellant)
29. 5-Jan-2017 ORDERED: awarding Defendants/Appellants attorneys' fees in the amount of \$18,915.00 and costs in the amount of \$319.00. Hon Andrew W Gould - Author
30. 10-Jan-2017 FILED: Email Notice from ASC re: Petition for Review filed 1/9/17; request for partial record
31. 10-Jan-2017 FILED: Letter forwarding partial record to Arizona Supreme Court