

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

**1 CA-CV 15-0507**

**EARLE v. SOUTHERN**

**Appellate Case Information**

Case Filed: 31-Jul-2015  
Case Closed:

**Dept/Composition**

**Department C**  
Hon. Diane M Johnsen  
Hon. Jon W Thompson  
Hon. Michael J Brown

**Side 1. EARLE INVESTMENTS, LLC, an Arizona limited liability, Plaintiff/Appellee**  
**(Litigant Group) EARLE INVESTMENTS LLC**

• Earle Investments LLC

**Attorneys for: Plaintiff/Appellee**

Christopher A Combs, Esq. (AZ Bar No. 2266)  
Alexandra E Fugate, Esq. (AZ Bar No. 32423)

**Side 2. SOUTHERN DESERT MEDICAL CENTER PARTNERS, an Arizona general partnership, Defendant/Appellant**  
**(Litigant Group) SOUTHERN DESERT MEDICAL CENTER PARTNERS**

• Southern Desert Medical Center Partners

**Attorneys for: Defendant/Appellant**

Michael R Scheurich, Esq. (AZ Bar No. 5943)  
Maggie E Wood, Esq. (AZ Bar No. 32503)

**CASE STATUS**

Nov 21, 2016....Under Advisement

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2013-015653	Quiet Title; Unjust Enrichment		David O Cunanan, Authoring Judge of Order		

**39 PROCEEDING ENTRIES**

1. 31-Jul-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 07/07/15
2. 31-Jul-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 7-Aug-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4. 17-Aug-2015 RECEIPT No.: 2015-01132 ; \$280.00, Check Number: #326405, Applied to: SOUTHERN DESERT MEDICAL CENTER PARTNERS - Class A Filing Fee (\$280.00) Paid for: - By Dickinson Wright PLLC
5. 21-Aug-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
6. 27-Aug-2015 FILED: Case Management Statement (Appellant)
7. 27-Aug-2015 FILED: Notice of Transcript Order; Certificate of Service (Appellant)
8. 1-Sep-2015 RECEIPT No.: 2015-01221 ; \$280.00, Authorization: 43023722822, Applied to: SOUTHERN DESERT MEDICAL CENTER PARTNERS - Overpayment Class A (\$280.00) Paid for: Dickinson Wright PLLC - By Integrated Resource Systems IN (Memo: Duplicate Pmt - See Rcpt 2015-01132 - Refund Needed)
9. 2-Sep-2015 FILED: Notice of Firm Name Change; Certificate of Service of Notice of Firm Name Change (Appellee)
10. 2-Sep-2015 FILED: Notice of Paying the Required Filing Fee; Certificate of Service of Notice of Paying Required Filing Fee (Appellee)
11. 2-Sep-2015 FILED: Notice of Appearance; Certificate of Service of Notice of Appearance (Appellee)
12. 8-Sep-2015 RECEIPT No.: 2015-01244 ; \$140.00, Authorization: Ref1#51006170273, Applied to: EARLE INVESTMENTS LLC - Class B Filing Fee (\$140.00) Paid for: Combs Gottlieb & MacQueen PC - By Intresys Inc
13. 8-Sep-2015 ORDERED: (Court has selected this appeal for assignment to Settlement Conference Program) vacating 10/6/15 due date for opening brief. FURTHER ORDERED: Staying appeal until further order. Order does not stay time for payment of filing fees, posting of bonds, or filing notices of cross-appeal. Melina Brill ProTem Judge - Author
14. 9-Sep-2015 FILED: Notice of Filing Amended Notice of Appeal; Certificate of Service of Notice of Filing Amended Notice of Appeal; Exhibit A (Appellant)

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15. 11-Sep-2015 ORDERED: (Court wishes to conduct a telephonic assessment conference w/ counsel to discuss whether case is appropriate for an in-person settlement conference) setting telephonic assessment conference for 9/25/15 at 10:30 am. Counsel shown on attached list shall call court's conference line at (602) 542-1484. Judge Andrew W Gould will conduct telephonic conference. FURTHER ORDERED; Counsel should be prepare to address following questions during conference (see order). Melina Brill ProTem Judge - Author
16. 14-Sep-2015 FILED: Letter, 9/14/15, from Court to Appellant, returning duplicate filing fee
17. 17-Sep-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record (including signed Amended Judgment filed 9/3/15 and Amended Notice of Appeal filed 9/9/15)
18. 25-Sep-2015 FILED: Notice of Filing Transcript; Reporter's Transcript of Proceedings 8/7/14 (Debra Price); Certificate of Service of Notice of Filing Transcript (Appellant)
19. 1-Oct-2015 ORDERED: (Court will hold an in-person settlement conference on 10/27/15 at 10 am) participants shall have full authority to negotiate and settle case on any agreed-upon terms at conference. FURTHER ORDERED: Each separately represented party shall submit a settlement conference statement to settlementprogram@appeals.az.gov on/before 5 pm on 10/23/15. Hon Andrew W Gould - Author
20. 29-Oct-2015 ORDERED: (Court's own Motion) lifting stay of this appeal. FURTHER ORDERED: Opening brief is due on/before 11/30/15. FURTHER ORDERED: Parties shall address any future motions to court. Hon Andrew W Gould - Author
21. 18-Nov-2015 FILED: Motion for Procedural Order to Extend Time to File Opening Brief; Certificate of Service of Notion for Procedural Order to Extend Time to File Opening Brief (Appellant)
22. 19-Nov-2015 ORDERED: Motion for Procedural Order to Extend Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-30-2015 to Wednesday, 12-30-2015. Melina Brill ProTem Judge - Author
23. 30-Dec-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service
24. 21-Jan-2016 FILED: Appellee's Notice of Substitution of Counsel Within Firm; Certificate of Service of Appellee's Notice of Substitution of Counsel Within Firm (Appellee)
25. 10-Feb-2016 FILED: Answering Brief of Plaintiff/Counterdefendant/Appellee Earle Investments, LLC; Certificate of Compliance; Certificate of Service of Appellee's Answering Brief on Appeal
26. 17-Feb-2016 FILED: Appellee's Request for Oral Argument; Certificate of Service (Appellee)
27. 7-Mar-2016 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service
28. 8-Mar-2016 FILED: Appellant's Request for Oral Argument; Certificate of Service (Appellant)
29. 29-Mar-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
30. 6-Apr-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
31. 12-Apr-2016 ORDERED: Appellee's Request for Oral Argument (Appellee) and Appellant's Request for Oral Argument (Appellant) = GRANTED. Hon Michael J Brown - Author
32. 26-Sep-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 11-21-16, 10:15 am, COURTROOM 1.
33. 6-Oct-2016 FILED: Notice of Oral Argument
34. 11-Oct-2016 FILED: Receipt for Notice of Oral Argument, signed by Michael R Scheurich on 10/06/2016 (Appellant)
35. 25-Oct-2016 FILED: Receipt for Notice of Oral Argument, signed by Christopher A Combs on 10/06/2016 (Appellee)
36. 26-Oct-2016 FILED: Appellee's Notice of Firm Name Change; Certificate of Service (Appellee)
37. 26-Oct-2016 FILED: Appellee's Notice of Substitution of Counsel Within Firm; Certificate of Service (Appellee)
38. 10-Nov-2016 FILED: Appellee's Notice of Attorney's Name Change; Certificate of Service (Appellee)
39. 21-Nov-2016 FILED: Sign-in Sheet/Case is Under Advisement as of 11/21/2016 (Dept C)