

Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0599

MARTINEZ v. SHC

Appellate Case Information

Case Filed: 10-Sep-2015

Case Closed:

Dept/Composition

Department B

Hon. Patricia K Norris
Hon. Samuel A Thumma
Hon. Margaret H Downie

Side 1. NICHOLAS MARTINEZ, Plaintiff/Appellant

(Litigant Group) NICHOLAS MARTINEZ

- Nicholas Martinez

Attorneys for: Plaintiff/Appellant

Leonard J Mark, Esq. (AZ Bar No. 1896)
Amy D Sells, Esq. (AZ Bar No. 24157)

Side 2. SCOTTSDALE HEALTHCARE CORPORATION, an Arizona corporation dba SCOTTSDALE HEALTHCARE-OSBORN, Defendant/Appellee

(Litigant Group) SCOTTSDALE HEALTHCARE CORP

- Scottsdale Healthcare Corporation

Attorneys for: Defendant/Appellee

William R Jones, Jr, Esq. (AZ Bar No. 1481)
Eileen Dennis GilBride, Esq. (AZ Bar No. 9220)
Sean M Moore, Esq. (AZ Bar No. 31621)

CASE STATUS

Jan 24, 2017....Decision Rendered

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2012-004911, Medical Malpractice, Jo Lynn Gentry, Authoring Judge of Order.

3 OPEN DUE DATES

Motion for Reconsideration due Due By: Wednesday, February 8, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Patricia K Norris - Author; Hon Samuel A Thumma - Concur; Hon Margaret H Downie - Concur

Response to Costs due Due By: Friday, February 10, 2017

Re: FILED: Statement of Costs; Certificate of Service (Appellee)

Petition for Review to ASC due Due By: Thursday, February 23, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Patricia K Norris - Author; Hon Samuel A Thumma - Concur; Hon Margaret H Downie - Concur

PENDING MATTER

General Motion

Filed: 27-Jan-2017

Statement of Costs (Appellee)

CASE DECISION

24-Jan-2017 MEMORANDUM DECISION

Patricia Norris.....Author
Samuel Thumma.....Concur
Margaret Downie.....Concur

Filed: 24-Jan-2017 Mandate:

Decision Disposition

Affirmed

36 PROCEEDING ENTRIES

- 1. 10-Sep-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 08/13/15
2. 10-Sep-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 16-Sep-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due

Court of Appeals, Division One**Civil Appeal****1 CA-CV 15-0599****MARTINEZ v. SHC****36 PROCEEDING ENTRIES**

4. 16-Sep-2015 FILED: Notice of Association of Counsel; Certificate of Service (Appellee)
5. 21-Sep-2015 RECEIPT No.: 2015-01314 ; \$140.00, Authorization: #64008572443, Applied to: SCOTTSDALE HEALTHCARE CORP - Class B Filing Fee (\$140.00) Paid for: Jones Skelton & Hochuli PLC - By Integrated Resource Systems IN
6. 24-Sep-2015 RECEIPT No.: 2015-01327 ; \$280.00, Check Number: #77632, Applied to: NICHOLAS MARTINEZ - Class A Filing Fee (\$280.00) Paid for: - By Tiffany & Bosco PA
7. 5-Oct-2015 FILED: Reporter's Transcript - 12/12/12 - Oral Argument (Janice Penfield) (Appellant)
8. 5-Oct-2015 FILED: Plaintiff/Appellant's Notice Of Payment Of Filing Fee; Certificate of Service (Appellant)
9. 5-Oct-2015 FILED: Plaintiff/Appellant's Notice Of Designation Of Transcript For Appeal; Certificate of Service (Appellant)
10. 5-Oct-2015 FILED: Plaintiff/Appellant's Notice Of Filing And Serving Transcript; Certificate of Service (Appellant)
11. 5-Oct-2015 FILED: Case Management Statement (Appellant)
12. 13-Nov-2015 FILED: Appellant's Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
13. 16-Nov-2015 ORDERED: Appellant's Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-16-2015 to Monday, 11-23-2015. Melina Brill ProTem Judge - Author
14. 23-Nov-2015 FILED: Appellant's Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
15. 24-Nov-2015 ORDERED: Appellant's Unopposed Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-23-2015 to Monday, 11-30-2015. Barbara Vidal Vaught ProTem Judge - Author
16. 30-Nov-2015 FILED: Appellant's Unopposed Motion for Third Extension of Time to File Opening Brief; Certificate of Service (Appellant)
17. 1-Dec-2015 ORDERED: Appellant's Unopposed Motion for Third Extension of 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
18. 22-Dec-2015 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service
19. 4-Feb-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service
20. 8-Feb-2016 FILED: Appellant's Request for Oral Argument; Certificate of Service (Appellant)
21. 29-Feb-2016 FILED: Appellant's Unopposed Rule 6(b) Motion for First Extension of Time to File Reply Brief; Certificate of Service (Appellant)
22. 1-Mar-2016 ORDERED: Appellant's Unopposed Rule 6(b) Motion for First Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-29-2016 to Wednesday, 03-30-2016. Barbara Vidal Vaught ProTem Judge - Author
23. 28-Mar-2016 FILED: Notice of Change of Firm Address; Certificate of Service (Appellee)
24. 30-Mar-2016 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service
25. 3-May-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
26. 11-May-2016 ORDERED: Appellant's Request for Oral Argument (Appellant) = GRANTED. Hon Michael J Brown - Author
27. 12-May-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
28. 28-Oct-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department B, 12-20-16, 10:15 am, COURTROOM 1.
29. 8-Nov-2016 FILED: Notice of Oral Argument
30. 9-Nov-2016 FILED: Receipt for Notice of Oral Argument, signed by Leonard J Mark on 11/08/2016 (Appellant)
31. 15-Nov-2016 FILED: Receipt for Notice of Oral Argument, signed by Sean Moore on 11/08/2016 (Appellee)
32. 15-Nov-2016 FILED: Notice of Association of Counsel; Certificate of Service (Appellee)

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1 CA-CV 15-0599

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36 PROCEEDING ENTRIES

- 33. 20-Dec-2016 FILED: Sign-in Sheet/Case is Under Advisement as of 12/20/2016 (Dept B)
- 34. 24-Jan-2017 MEMORANDUM DECISION (Affirmed) Hon Patricia K Norris - Author; Hon Samuel A Thumma - Concur; Hon Margaret H Downie - Concur
- 35. 24-Jan-2017 FILED: Memorandum Decision Distribution List
- 36. 27-Jan-2017 FILED: Statement of Costs; Certificate of Service (Appellee)