

Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0725

RODRICK et al. v. ELLIS

Appellate Case Information

Case Filed: 30-Oct-2015

Case Closed:

Dept/Composition

Side 1. CHARLES DAVID RODRICK, an individual and TRACI HEISIG, an individual, Plaintiffs/Counterdefendants/, Appellant

(Litigant Group) CHARLES DAVID RODRICK et al.

- Charles David Rodrick
- Traci Heisig

Attorneys for: Plaintiffs/Appellants

Barry W Rorex, Esq. (AZ Bar No. 25910)

Michael Harnden, Esq. (AZ Bar No. 29474)

Side 2. DAVID MICHAEL ELLIS, Defendant/Counterclaimant/, Appellee

(Litigant Group) DAVID MICHAEL ELLIS

- David Michael Ellis

Attorneys for: Appellee

Jeffrey M Zurbruggen, Esq. (AZ Bar No. 16345)

CASE STATUS

Dec 5, 2016.....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2013-003800	Defamation-Trade Libel, False Light Invasion of Privacy, Tortious Interference w/Current and Prospective Business Relationships, [see file for complete list]		Douglas Gerlach, Authoring Judge of Order		

41 PROCEEDING ENTRIES

1. 30-Oct-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 08/25/15
2. 30-Oct-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 4-Nov-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4. 18-Nov-2015 FILED: Appellants Notice of Payment of Filing Fee; Certificate of Service
5. 23-Nov-2015 RECEIPT No.: 2015-01634 ; \$280.00, Authorization: 27008135748, Applied to: CHARLES DAVID RODRICK et al. - Class A Filing Fee (\$280.00) Paid for: Law Office of Barry W Rorex PLC - By Integrated Resource Systems IN
6. 24-Nov-2015 FILED: Case Management Statement; Ruling Denying Plaintiffs' Motion; Rule 60 Motion (Appellant)
7. 27-Nov-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
8. 2-Dec-2015 FILED: Appellee Notice of Payment of Filing Fee; Certificate of Service (Appellee Pro Per)
9. 7-Dec-2015 RECEIPT No.: 2015-01679 ; \$140.00, Authorization: #41005112693, Applied to: DAVID MICHAEL ELLIS - Class B Filing Fee (\$140.00) Paid for: DAVID MICHAEL ELLIS - By Integrated Resource Systems IN
10. 4-Jan-2016 FILED: Appellans' (sic) Motion for Extension to File Initial Brief (Opening); Incorporated in Motion (Appellant)
11. 5-Jan-2016 ORDERED: Extending the time to file the Opening Brief to/including 2/3/16. Melina Brill ProTem Judge - Author
12. 3-Feb-2016 FILED: Appellants' Second Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
13. 9-Feb-2016 FILED: Response to Appellant's Second Motion for Extension to File Opening Brief and Motion to Dismiss; Certificate of Service (Appellee)

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14. 9-Feb-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)
15. 12-Feb-2016 FILED: Supplemental Response to Appellant's Second Motion for Extension to File Opening Brief and Motion to Dismiss; Certificate of Service (Appellee)
16. 12-Feb-2016 RECEIPT No.: 2016-00202 ; \$140.00, Authorization: #42017182627, Applied to: DAVID MICHAEL ELLIS - Overpayment Class B (\$140.00) Paid for: Jeffrey M Zurbruggen PC - By Integrated Resouce Systems IN (Memo: Duplicate Pmt - See Rcpt 2015-01679)
17. 17-Feb-2016 FILED: Appellants' Reply to Appellee David Ellis Response and Motion to Dismiss; Certificate of Service (Appellant)
18. 23-Feb-2016 ORDERED: Appellants' Second Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 02-03-2016 to Monday, 04-25-2016. FURTHER ORDERED: denying motion to dismiss. Barbara Vidal Vaught ProTem Judge - Author
19. 7-Mar-2016 FILED: Letter, 3/7/16, COA1 to Jeffrey M Zurbruggen re: refund of monies submitted in error
20. 25-Apr-2016 FILED: Appellants Third Motion for Extension to File Opening Brief; Incorporated in Motion (Appellant)
21. 27-Apr-2016 FILED: Response to Appellants Third Motion for Extension to File Opening Brief/ Motion to Dismiss; Certificate of Service (Appellee)
22. 27-Apr-2016 ORDERED: Appellants Third Motion for Extension to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 04-25-2016 to Monday, 05-09-2016. Melina Brill ProTem Judge - Author
23. 28-Apr-2016 ORDERED: Response to Appellants Third Motion for Extension to File Opening Brief/ Motion to Dismiss (Appellee) = DENIED/affirming this court's 4/27/16 order granting a 14-day extension of time for filing opening brief to/including 5/9/16. FURTHER ORDERED: Denying motion to dismiss. FURTHER ORDERED: Denying request for attorneys' fees in connection w/ motion. Melina Brill ProTem Judge - Author
24. 9-May-2016 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
25. 9-May-2016 FILED: Untitled (Appendix for Appellants' Opening Brief) (Appellant)
26. 12-May-2016 FILED: Notice of Errata; Notice of Errata (Certificate of Service); (Amended) Opening Brief Appendix Table of Contents; (Amended with Exhibits) Opening Brief Appendix Table of Contents (Appellant)
27. 27-Jun-2016 FILED: Motion to Dismiss Appeal Due to Lack of Jursidiction; Certificate of Service Re: Motion to Dismiss Appeal Due to Lack of Jurisdiction (Appellee)
28. 28-Jun-2016 ORDERED: vacating answering brief due 06/27/2016. Melina Brill ProTem Judge - Author
29. 15-Jul-2016 FILED: Motion for Extension of Time to Submit Response; Incorporated Certificate of Service (Appellant)
30. 18-Jul-2016 ORDERED: Motion for Extension of Time to Submit Response (Appellant) = GRANTED. Due date for response to motion to dismiss EXTENDED from Monday, 05-16-2016 to Wednesday, 07-20-2016. Melina Brill ProTem Judge - Author
31. 20-Jul-2016 FILED: Response to Motion to Dismiss Appeal; Incorporated in Pleading (Appellant)
32. 1-Aug-2016 FILED: Reply to Response to Motion to Dismiss Appeal Due to Lack of Jurisdiction; Certificate of Service (Appellee)
33. 5-Aug-2016 ORDERED: Motion to Dismiss Appeal Due to Lack of Jursidiction (Appellee) = DENIED. FURTHER ORDERED: answering brief due 09/07/2016. Hon Andrew W Gould - Author
34. 7-Sep-2016 FILED: Motion to Strike Opening Brief and Appendix, and to Dismiss; Certificate of Service; Opening Brief Appendix Table to Contents (Appellee)
35. 8-Sep-2016 ORDERED: vacating the 09/07/2016 due date for the answering brief. The order ruling on the pending motion will set a due date for filing the answering brief, if the motion is denied. Melina Brill ProTem Judge - Author
36. 19-Sep-2016 FILED: Response to Motion to Dismiss Appeal; Incorporated in Pleading (Appellant)
37. 6-Oct-2016 ORDERED: Motion to Strike Opening Brief and Appendix, and to Dismiss (Appellee) = GRANTED in part and striking documents from the appendix to the opening brief further listed in order. FURTHER ORDERED: denying request to dismiss appeal. FURTHER ORDERED: denying appellee's request for attorney's fees in connection with this motion. FURTHER ORDERED: denying appellants' request that appellee be prohibited from filing additional pleadings absent court approval. FURTHER ORDERED: answering brief due 11/07/2016. Melina Brill ProTem Judge - Author

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41 PROCEEDING ENTRIES

- 38. 7-Nov-2016 FILED: Appellee's Answering Brief/Memorandum of Points and Authorities; Certificate of Compliance; Certificate of Service re: Answering Brief (Appellee)
- 39. 5-Jan-2017 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
- 40. 17-Jan-2017 FILED: Supplemented Superior Court e-Record with Revised Index of Record
- 41. 17-Jan-2017 FILED: Additional Record on Appeal:
Exhibits: HD 02/19/2014 LIST# 1 2 3 4 5 6 7 8 9 10 11 12 13 18 20 22 23 29 31 38 39 40 41 42 in a Box;
HD 05/05/2014 LIST# 1 18 26 43 44 45 46 48 72 73 74 84 86 87 95 107 111 112 125 137 141 142 147 149 150 151 168 187 200
206 212 213 219 220 221 222 223 225 228 239 248 259 273 275 278 289 297 305 306 307 308 321 322 334 365 366 367 368
369 370 371 372 373 374 375 376 390 398 399 401 in a Box