Court of Appeals, Division One

Civil Appeal

1 CA-CV 16-0378 SMITH & WESSON v. THE WUSTER

Appellate Case Information

Case Filed: 30-Jun-2016

Case Closed:

Dept/Composition

Side 1. SMITH & WESSON CORP. and SMITH & WESSON HOLDING CORP., Plaintiff/Appellee

(Litigant Group) SMITH & WESSON

- **Smith & Wesson Corp**
- **Smith & Wesson Holding Corp**

Attorneys for: Plaintiffs/Appellees

Craig C Hoffman, Esq. (AZ Bar No. 26017)

Side 2. THE WUSTER (d/b/a AIRSPLAT.COM), Defendant/Appellant

(Litigant Group) THE WUSTER

- **The Wuster**
- **Airsplat.Com**

Attorneys for: Defendant/Appellant

Brandon S Kinsey, Esq. (AZ Bar No. 24873)

Araceli Rodriguez, Esq. (AZ Bar No. 33133)

Jacqueline R Lugar, Esq. (AZ Bar No. 33237)

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2015-012668	Breach of Contract		Michael L Barth, Authoring Judge of Order		

OPEN DUE DATE

Reply Brief due **Due By:** Monday, February 6, 2017

Re: FILED: Plaintiffs'/Appellees' Answering Brief; Certificate of Compliance to Plaintiffs'/Appellees' Answering Brief; Certificate of Service to Plaintiffs'/Appellees' Answering Brief (Appellees)

PENDING MATTER

Div 1 Request for Oral Argument Filed: 21-Nov-2016

Request for Oral Argument (Appellant)

CASE DECISION

02-Aug-2016 ORDER

Vacated
ORDERED: dismissing appeal for lack of jurisdiction.

Melina Brill.....Author

Filed: **02-Aug-2016** Mandate:

Decision Disposition
Dismissed

20 PROCEEDING ENTRIES

1.	30-Jun-2016	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/02/16
2.	30-Jun-2016	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3.	5-Jul-2016	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	19-Jul-2016	FILED: Letter, dated 07/19/2016, to Whom It May Concern from Brandon S Kinsey re: Appellant Filing Fee (Appellant)
5.	22-Jul-2016	RECEIPT No.: 2016-00909 ; $280.00, Authorization: #03018877341, Applied to: THE WUSTER - Class A Filing Fee ($280.00) Paid for: Garcia Kinsey & Villarreal PLC - By Integrated Resources System IN
6.	22-Jul-2016	FILED: Case Management Statement; Courtesy Copy - [Proposed] Default Judgment by the Court filed 05/10/2016 in Maricopa County Superior Court re: Motion for Entry of Default Judgment (Appellants)
7.	2-Aug-2016	FILED: Appellee's Notice re: Appellee's Fee Due; Appellant's Brief Due
8.	2-Aug-2016	ORDERED: dismissing appeal for lack of jurisdiction. Melina Brill ProTem Judge - Author (VACATED per order filed 09/16/2016)

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20 PROCEEDING ENTRIES

9.	4-Aug-2016	FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Service (Appellant)
10.	4-Aug-2016	FILED: Motion for Leave to Amend; Certificate of Service; Exhibit A (Appellant)
11.	5-Aug-2016	ORDERED: granting appellees to/including 08/23/2016, to file a response to the motion. Appellant may file a reply on/before 09/06/2016. Barbara Vidal Vaught ProTem Judge - Author
12.	23-Aug-2016	FILED: Response to Motion for Reconsideration; Order (Permission to file); Certificate of Service for Response to Motion for Reconsideration; Exhibit A (Appellee)
13.	29-Aug-2016	RECEIPT No.: 2016-01076 ; $140.00, Authorization: #38015001136, Applied to: SMITH & WESSON - Class B Filing Fee ($140.00) Paid for: Ballard Spahr LLP - By Integrated Resources System IN
14.	31-Aug-2016	FILED: Reply to Response to Motion for Reconsideration; Order Granting Permission to Reply; Certificate of Service; Certificate of Compliance (Appellant)
15.	16-Sep-2016	ORDERED: Motion for Reconsideration (Appellant) = GRANTED/vacating court's 08/02/2016 order dismissing the appeal. FURTHER ORDERED: Motion for Leave to Amend (Appellant) = GRANTED/accepting the amended case management statement filed on 08/04/2016. FURTHER ORDERED: opening brief due 10/20/2016. Hon Jon W Thompson - Author
16.	7-Oct-2016	FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service for Motion for Extension of Time (Appellant)
17.	11-Oct-2016	ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 10-20-2016 to Monday, 11-21-2016. Melina Brill ProTem Judge - Author
18.	21-Nov-2016	FILED: Request for Oral Argument; Certificate of Service for Request for Oral Argument (Appellant)
19.	21-Nov-2016	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
20.	9-Jan-2017	FILED: Plaintiffs'/Appellees' Answering Brief; Certificate of Compliance to Plaintiffs'/Appellees' Answering Brief; Certificate of Service to Plaintiffs'/Appellees' Answering Brief (Appellees)

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