

Court of Appeals, Division One

Civil Appeal

1 CA-CV 16-0404

BALDINO, et al. v. GREENBERG, et al.

Appellate Case Information

Case Filed: 7-Jul-2016

Case Closed:

Dept/Composition

Side 1. JOSEPH L BALDINO, et al., Plaintiff/Appellant

(Litigant Group) JOSEPH L BALDINO, et al.

- Mr Joseph L Baldino
AZ Bar No. 5696
[Current Member]
SOLE PRACTITIONER
Admitted 4/28/79

- Helen M Baldino
AZ Bar No. 5695
[Current Member]
Admitted 4/28/79

- Eva Sperber-Proter
- Meridian Financial Corp
- Baseline and Val Vista LP
- Litchfield Road Associates LP

Attorneys for: Plaintiffs/Appellants

Dennis I Wilenchik, Esq. (AZ Bar No. 5350)

Brian Hembd, Esq. (AZ Bar No. 29817)

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Side 2. ROGER ASHKENAZI, et al., Plaintiff/Appellee
(Litigant Group) ROGER ASHKENAZI, et al.

- Roger Ashkenazi
- Alan Bandler
- Terri Bandler
- Sun America
- Linda Barkalow
- E-Trade Securities
- Charlotte Barkley
- Shauna Barkley
- Silvia Bighi
- Bighi & Associates LP
- Jon Bliven
- Lynda Bliven
- Paul L Bruno
- P. B. Co Inc
- Dick J Dijkman
- First Trust Co. of Onaga KS
- A H Earley
- Sheldon Epstein
- The Valley Medical Center LTD
- Karen M Epstein
- Michael D Epstein
- Heather R Epstein
- Bruce J Etkin
- Jericho LLC
- Gregory A Fisher
- Randy Gates
- Kathryn L Gates
- The MGC Contractors Profit Sharing Plan
- Gilburne Family Limited Liability Partnership
- Melvin M Glick
- The Good-Ward Corp
- Glenn Green
- Steve Gubin
- Stephen J Gubin
- Hallis Associates LP
- G3 Investments LP
- Land Pointe Apartments LLC
- Paradise Lane Properties LLC
- Larmon Haugen

Co-Counsel for: Plaintiffs/Appellees Ashkenazi

Rickman P Brown, Esq. (GA Bar No. RICKMANPBROWN)
Jeff I Ross, Esq. (MN Bar No. 144782)
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Sarah K Deutsch, Esq. (AZ Bar No. 26229)

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- Larmon A Haugen
- Linda Haugen
- Kenneth J Held
- Arizona Bank & Trust
- Charles P Hurwich
- Louis Iorio
- The BPediatric Medical Associates PC
- The Pediatric Medical Associates PC
- Amnon Kahane
- Charles Schwab & Co Inc
- James L Klatt
- Shlomo Lanciano
- Lisette 206 LLC
- John A Luginbill
- First Regional Bank
- Susan G Luginbill
- The Fastak Enterprises LLC
- Michael A Macera
- Lois H Macleod
- Leslie H Margolin
- Mr James E Merriman
AZ Bar No. 14847
[Current Member]
Admitted 11/30/93
- Entrust Arizona LLC
- Mark Moskowitz
- Cat's Paw Trust
- Robert R Murch
- Robert N O'Hara
- Joan O'Hara
- Eric Piatkowski
- Property Admin Specialists 401-K Plan FBO
- Elliott Pollack
- Pollack Family LLC
- Norman Saba
- Richard Shaw
- Vera Shaw
- Mingus LLC
- Robert C Swaback
- Barry Weiss
- Barry Zemel

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Side 3. GREENBERG TRAUIG LLP, et al., Defendant/Appellee

(Litigant Group) GREENBERG TRAUIG LLP, et al.

- Greenberg Traurig LLP
- Mr Robert S Kant
AZ Bar No. 5454
[Current Member]
Admitted 10/7/78
- Ellen Kant

Co-Counsel for: Defendants/Appellees Greenberg etal
 Martin R Galbut, Esq. (AZ Bar No. 2943)
 Michaile J Berg, Esq. (AZ Bar No. 27166)
 Kenneth C Smurzynski, Esq. (DC Bar No. 442131)
 Colette T Connor, Esq. (DC Bar No. 991533)

CASE STATUS

Dec 27, 2016....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2010-020851	Unclassified Civil		Arthur T Anderson, Authoring Judge of Order		

3 OPEN DUE DATES

- Reply to Motion due** **Due By:** Monday, January 23, 2017
Re: FILED: Limited Objection to Motion to Accelerate Appeal; Certificate of Service (Appellant)
- Response to Motion due** **Due By:** Monday, February 6, 2017
Re: FILED: Ashkenazi Appellees' Second Request for Judicial Notice; Certificate of Service; Exhibit A (Appellee)
- Response to Motion to Strike due** **Due By:** Wednesday, February 8, 2017
Re: FILED: Motion to Strike/Response to Ashkenazi Appellees' Second Request for Judicial Notice and Attachment Thereto; Certificate of Service (Appellant)

5 PENDING MATTERS

- General Motion** Filed: 28-Nov-2016
** Request for Judicial Notice (Appellee)* Scheduled: 30-Dec-2016
-
- General Motion** Filed: 6-Jan-2017
Ashkenazi Appellees' Request for Judicial Notice; Certificate of Service; Exhibit A (Appellee)
 13/Jan/2017 FILED: Motion to Strike/Response to Ashkenazi Appellees' Request for Judicial Notice and Attachment Thereto (Appellant)
-
- General Motion** Filed: 6-Jan-2017
Motion for Procedural Order: Motion to Accelerate Appeal (Appellee)
-
- General Motion** Filed: 18-Jan-2017
Ashkenazi Appellees' Second Request for Judicial Notice (Appellee)
-
- General Motion** Filed: 20-Jan-2017
Motion to Strike/Response to Ashkenazi Appellees' Second Request for Judicial Notice and Attachment Thereto (Appellant)

37 PROCEEDING ENTRIES

- 7-Jul-2016 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/07/16
- 7-Jul-2016 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 11-Jul-2016 FILED: Notice to Parties re: Appellants' Fee/Case Management Statement/Brief Due
- 15-Jul-2016 FILED: Reporter's Transcript - 08-20-13 - Motion for New Trial (Miguel Benitez)
- 15-Jul-2016 FILED: Reporter's Transcript - 09-04-15 - Motion to Consolidate/Motion to Disqualify (Miguel Benitez)
- 25-Jul-2016 FILED: Certificate of Compliance Regarding Payment of Appellants' Filing Fee; Certificate of Service (Appellants)

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7. 29-Jul-2016 RECEIPT No.: 2016-00943 ; \$280.00, Authorization: #10020920396, Applied to: JOSEPH L BALDINO, et al. - Class A Filing Fee (\$280.00) Paid for: Wilenchik & Bartness PC - By Integrated Resource Systems IN
8. 1-Aug-2016 FILED: Case Management Statement; Exhibit A (exhibits A-C to Case Management Statement); Certificate of Service (Appellants)
9. 3-Aug-2016 FILED: Reporter's Transcript - 11/30/2012 - Oral Argument (Donna Limerick) (Appellants)
10. 3-Aug-2016 FILED: Notice of Filing and Serving Transcript; Certificate of Service (Appellants)
11. 16-Aug-2016 FILED: Appellee's Notice re: Appellees' Fee Due; Appellant's Brief Due
12. 19-Aug-2016 RECEIPT No.: 2016-01040 ; \$140.00, Check Number: #322085, Applied to: GREENBERG TRAUIG LLP, et al. - Class B Filing Fee (\$140.00) Paid for: - By Williams & Connolly LLP
13. 25-Aug-2016 RECEIPT No.: 2016-01064 ; \$140.00, Check Number: #2015, Applied to: ROGER ASHKENAZI, et al. - Class B Filing Fee (\$140.00) Paid for: Roger A Shkenazi et al - By Evans Scholz Williams & Warncke LLC
14. 26-Aug-2016 FILED: Motion for Procedural Order: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant Joseph Baldino)
15. 29-Aug-2016 FILED: Opposition to Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellee Roger Shkenazi)
16. 29-Aug-2016 ORDERED: Motion for Procedural Order: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 09-09-2016 to Tuesday, 10-11-2016. Melina Brill ProTem Judge - Author
17. 30-Aug-2016 ORDERED: affirming this court's 08/29/2016 order granting a 30-day extension of time for filing opening brief. Melina Brill ProTem Judge - Author
18. 11-Oct-2016 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellants)
19. 28-Nov-2016 FILED: Request for Judicial Notice; Certificate of Service (Appellee Greenberg Traurig)
20. 28-Nov-2016 FILED: Brief of Defendants/Appellees Greenberg Traurig LLP, Robert S Kant, and Ellen P Kant; Defendants/Appellees Greenberg Traurig LLP, Robert S Kant, and Ellen P Kant's Certificate of Compliance; Defendants/Appellees Greenberg Traurig LLP, Robert S Kant, and Ellen P Kant's Certificate of Service (Appellee)
21. 28-Nov-2016 FILED: Ashkenazi Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
22. 28-Nov-2016 FILED: Notice of Receipt of Complete Application (Pro Hac Vice); Certificate of Good Standing (Pro Hac Vice); Verified Application to the State Bar of Arizona (Pro Hac Vice) (Appellee)
23. 1-Dec-2016 RECEIPT No.: 2016-01454 ; \$140.00, Authorization: #35024901645, Applied to: ROGER ASHKENAZI, et al. - Overpayment Class B (\$140.00) Paid for: Ross & Orenstein LLC - By Integrated Resource Systems IN (Memo: Duplicate pmt - See Rcpt 2016-01064 - Refund Needed)
24. 16-Dec-2016 FILED: Motion to Strike/Response to Greenberg Traurig LLP, Robert Kant, and Ellen P. Kant's Request for Judicial Notice and Attachment Thereto; Certificate of Service (Appellant)
25. 19-Dec-2016 FILED: Letter, 12/19/2016, from Court to Ross & Orenstein LLC, refunding \$140.00 due to duplicate payment
26. 27-Dec-2016 FILED: Appellants' Reply to Ashkenazi Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellants)
27. 27-Dec-2016 FILED: Appellants' Reply to Greenberg Traurig LLP, Robert S. Kant, and Ellen P. Kant Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellants)
28. 28-Dec-2016 FILED: Defendant/Appellees Greenberg Traurig LLP, Robert S. Kant, and Ellen P. Kant's Response to Motion to Strike and Reply in Support of Request for Judicial Notice; Certificate of Service (Appellee)
29. 6-Jan-2017 FILED: Motion for Procedural Order: Motion to Accelerate Appeal; Certificate of Service (Appellee)
30. 6-Jan-2017 FILED: Ashkenazi Appellees' Request for Judicial Notice; Certificate of Service; Exhibit A (Appellee)
31. 6-Jan-2017 FILED: Notice of Receipt of Complete Application (Pro Hac Vice); Certificate of Good Standing; Verified Application (Appellee)
32. 12-Jan-2017 ORDERED: denying the motion to strike the request for judicial notice. FURTHER ORDERED: deferring a ruling on the request for judicial notice to the panel that considers this appeal on the merits. Melina Brill ProTem Judge - Author

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33. 13-Jan-2017 FILED: Motion to Strike/Response to Ashkenazi Appellees' Request for Judicial Notice and Attachment Thereto; Certificate of Service (Appellant)
34. 13-Jan-2017 FILED: Limited Objection to Motion to Accelerate Appeal; Certificate of Service (Appellant)
35. 18-Jan-2017 FILED: Ashkenazi Appellees' Second Request for Judicial Notice; Certificate of Service; Exhibit A (Appellee)
36. 18-Jan-2017 FILED: Notice of Receipt of Complete Application (Pro Hac Vice); Certificate of Good Standing (Pro Hac Vice); Verified Application to the State Bar of Arizona (Pro Hac Vice) (Appellee)
37. 20-Jan-2017 FILED: Motion to Strike/Response to Ashkenazi Appellees' Second Request for Judicial Notice and Attachment Thereto; Certificate of Service (Appellant)