

Court of Appeals, Division One

Civil Appeal

1 CA-CV 14-0739

PHOENIX v. GLENAYRE et al.

Appellate Case Information

Case Filed: 18-Nov-2014
Case Closed: 13-Dec-2016

Decision

Dept/Composition

Department E

Hon. Diane M Johnsen
Hon. Patricia A Orozco
Hon. Kenton D Jones

**Side 1. CITY OF PHOENIX,
Third Party Plaintiff, Appellant**

(Litigant Group) CITY OF PHOENIX

- City of Phoenix

Attorneys for: Third Party Plaintiff/Appellant

Mary R O'Grady, Esq. (AZ Bar No. 11434)

Brad Holm, Esq. (AZ Bar No. 11237)

Court of Appeals, Division One

Civil Appeal

1 CA-CV 14-0739

PHOENIX v. GLENAYRE et al.

Side 2. GLENAYRE ELECTRONICS, INC.; WILLIAM LYON HOMES, INC.; KB HOME HOLDINGS, INC.; RICHMOND AMERICAN HOMES, INC.; MDC/WOOD, INC.; UDC HOMES, INC. nka SHEA HOMES OF PHOENIX, INC. (FN) and ELLIOTT HOMES, INC.; SWENGEL-ROBBINS CONTRACTING CO., INC.; AZTEC CONSTRUCTION, INC.; JNC, INC.; UH HOLDINGS, INC.; LOS PAISANOS DEVELOPMENT, INC.; MICHAEL NEWSOME; CHI CONSTRUCTION CO.; CONTINENTAL HOMES, INC.; PULTE HOME CORP.; DEL WEBB CORP.; WITTMAN CONTRACTING COMPANY; JEFF BLANDFORD INVESTMENTS, INC.; BENTSON CONTRACTING COMPANY, Defendant/Appellee

(Litigant Group) GLENAYRE ELECTRONICS INC

- Glenayre Electronics Inc

Attorneys for: Defendant/Appellee Glenayre
Katherine E Baker, Esq. (AZ Bar No. 10146)
Diane L Bornscheuer, Esq. (AZ Bar No. 16858)

(Litigant Group) WILLIAM LYON HOMES INC

- William Lyon Homes Inc

Attorneys for: Defendant/Appellee Wm Lyon
Brad D Bleichner, Esq. (AZ Bar No. 16126)

(Litigant Group) KB HOME/RICHMOND/MDC/WOOD

- KB Home Holdings Inc
- Richmond American Homes Inc
- MDC/Wood Inc

Attorneys for: Defendants/Appellees KB Home et al.
Holly P Davies, Esq. (AZ Bar No. 18308)
Alexis G Terriquez, Esq. (AZ Bar No. 32165)

(Litigant Group) UDC HOMES INC /ELLIOTT HOMES INC

- UDC Homes Inc
- Shea Homes of Phoenix Inc (FN)
- Elliot Homes Inc

Attorneys for: Defendants/Appellees UDC et al.
Jill Ann Herman, Esq. (AZ Bar No. 20180)

(Litigant Group) SWENGEL-ROBBINS CONTRACTING

- Swengel-Robbins Contracting Co Inc

Attorneys for: Defendant/Appellee Swengel
Richard K Mahrle, Esq. (AZ Bar No. 5166)

(Litigant Group) AZTEC CONSTRUCTION, INC.

- Aztec Construction Inc

Attorneys for: Defendant/Appellee Aztec
Joseph A Kula, Esq. (AZ Bar No. 7794)
Benjamin R Eid, Esq. (AZ Bar No. 28148)

(Litigant Group) JNC, INC.; UH HOLDINGS, INC.

- JNC Inc
- UH Holdings Inc

Attorneys for: Defendants/Appellees JNC/UH
Daniel D Maynard, Esq. (AZ Bar No. 9211)
Michael D Curran, Esq. (AZ Bar No. 12677)

(Litigant Group) LOS PAISANOS DEVELOPMENT, INC.

- Los Paisanos Development Inc

Attorneys for: Defendant/Appellee Los Paisanos
Vincent J Montell, Esq. (AZ Bar No. 14236)
Michael J Ponzio, Esq. (AZ Bar No. 28092)
Rita J Bustos, Esq. (AZ Bar No. 25956)

(Litigant Group) MICHAEL NEWSOME

- Michael Newsome

PRO SE

(Litigant Group) CHI CONSTRUCTION; CONTINENTAL HOMES

- CHI Construction Co
- Continental Homes Inc

Attorneys for: Defendants/Appellees CHI et al.
Kevin E O'Malley, Esq. (AZ Bar No. 6420)
Mark A Fuller, Esq. (AZ Bar No. 12149)
Thomas A Maraz, Esq. (AZ Bar No. 10993)

(Litigant Group) PULTE HOME; DEL WEBB CORP

- Pulte Home Corporation
- Del Webb Corporation

Attorneys for: Defendants/Appellees Pulte/Del Webb
Michael S Rubin, Esq. (AZ Bar No. 5131)
Stephen E Richman, Esq. (AZ Bar No. 7489)
J Gregory Cahill, Esq. (AZ Bar No. 12654)

Court of Appeals, Division One

Civil Appeal

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PHOENIX v. GLENAYRE et al.

(Litigant Group) WITTMAN CONTRACTING COMPANY

- Wittman Contracting Company

Attorneys for: Defendant/Appellee Wittman

Thomas J Shorall, Jr, Esq. (AZ Bar No. 10456)

Jason J Boblick, Esq. (AZ Bar No. 26507)

(Litigant Group) JEFF BLANDFORD INVESTMENTS

- Jeff Blandford Investments Inc

Attorneys for: Defendant/Appellee Jeff Blandford

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

Mia Nguyen, Esq. (AZ Bar No. 30796)

(Litigant Group) BENTSON CONTRACTING CO, dismissed per order filed 10/29/15

- Bentson Contracting Company

CASE STATUS

Dec 23, 2016....Case Closed

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2013-001762, Randall H Warner, Authoring Judge of Order.

Table with 2 columns: DESCENDENT CASE(S), Cause/Charge/Class. Row 1: ASC, CV-16-0126-PR.

CASE DECISION

19-May-2016 OPINION

Kenton Jones.....Author

Diane Johnsen.....Concur

Patricia Orozco.....Concur

Filed: 19-May-2016

Mandate:

Decision Disposition

Affirmed

129 PROCEEDING ENTRIES

- 1. 18-Nov-2014 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/09/14...
2. 18-Nov-2014 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 9-Dec-2014 FILED: Notice to Counsel re: No Appellant's Fee/Appellees' Fees Due/Brief Due
4. 10-Dec-2014 RECEIPT No.: 2014-01521 ; \$140.00, Check Number: #18254, Applied to: JNC, INC.; UH HOLDINGS, INC. - Class B Filing Fee (\$140.00) Paid for: Daniel D Maynard - By Liddy Legal Support Services
5. 10-Dec-2014 FILED: Notice of Payment of Appellees CHI Construction Co.'s and Continental Homes, Inc.'s Filing Fee; Certificate of Service (Appellee)
6. 11-Dec-2014 RECEIPT No.: 2014-01523 ; \$140.00, Check Number: 45133, Applied to: SWENGEL-ROBBINS CONTRACTING - Class B Filing Fee (\$140.00) Paid for: Gammage & Burnham PLC - By Gammage & Burnham PLC
7. 11-Dec-2014 RECEIPT No.: 2014-01524 ; \$140.00, Check Number: 18917, Applied to: GLENAYRE ELECTRONICS INC - Class B Filing Fee (\$140.00) Paid for: Green & Baker Ltd - By Green & Baker Ltd (Memo: 1 CA-CV 14-0739)
8. 15-Dec-2014 RECEIPT No.: 2014-01541 ; \$140.00, Authorization: 49002225677, Applied to: CHI CONSTRUCTION; CONTINENTAL HOMES - Class B Filing Fee (\$140.00) Paid for: Gallagher & Kennedy P A - By Intresys Inc
9. 15-Dec-2014 FILED: Notice of Payment of Appellee William Lyon Company's Filing Fee; Certificate of Service (Appellee)
10. 15-Dec-2014 FILED: Notice of Payment of Appellees Pulte Home Corporation and Del Webb Corporation's Filing Fee; Certificate of Service (Appellee)

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11. 17-Dec-2014 RECEIPT No.: 2014-01560 ; \$140.00, Authorization: #50018597041, Applied to: WILLIAM LYON HOMES INC - Class B Filing Fee (\$140.00) Paid for: Berkes Crane Robinson & Seal LLP - By Integrated Resource Systems IN
12. 17-Dec-2014 FILED: Letter, 12/17/14, to court from counsel for Appellees, KB Homes/Richmond American/MDC/Wood re payment of filing fee
13. 17-Dec-2014 FILED: Notice of Payment of Appellee Wittman Contracting's Filing Fee; Certificate of Service
14. 18-Dec-2014 FILED: Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service; Proposed Order (Appellant)
15. 18-Dec-2014 RECEIPT No.: 2014-01567 ; \$140.00, Authorization: #51020851040, Applied to: PULTE HOME; DEL WEBB CORP - Class B Filing Fee (\$140.00) Paid for: Dickinson Wright PLLC - By Integrated Resource Systems IN
16. 19-Dec-2014 FILED: Glenayre Electronic Inc.'s Notice of Payment of Filing Fee; Certificate of Service (Appellee)
17. 22-Dec-2014 RECEIPT No.: 2014-01583 ; \$140.00, Check Number: #131937, Applied to: LOS PAISANOS DEVELOPMENT, INC. - Class B Filing Fee (\$140.00) Paid for: Los Paisanos Development, Inc. - By Quintairo Prieto Wood & Boyer PA
18. 22-Dec-2014 ORDERED: Unopposed Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 01-20-2015 to Thursday, 02-19-2015. Melina Brill ProTem Judge - Author
19. 22-Dec-2014 RECEIPT No.: 2014-01586 ; \$140.00, Authorization: #56010377122, Applied to: KB HOME/RICHMOND/MDC/WOOD - Class B Filing Fee (\$140.00) Paid for: Lorber Greenfield & Polito LLP - By Integrated Resource Systems IN
20. 22-Dec-2014 RECEIPT No.: 2014-01589 ; \$140.00, Authorization: #56010377122, Applied to: WITTMAN CONTRACTING COMPANY - Class B Filing Fee (\$140.00) Paid for: Shorall McGoldrick Brinkmann PC - By Integrated Resource Systems IN
21. 22-Dec-2014 FILED: Notice of Payment of Appellee Elliott Homes, Inc., Filing Fee; Certificate of Service
22. 22-Dec-2014 FILED: Notice of Payment of Appellee Jeff Blandford Investments, Inc.'s Filing Fee; Certificate of Service
23. 22-Dec-2014 FILED: Notice of Payment of Appellee Bentson Contracting Company's Filing Fee; Certificate of Service (Appellee)
24. 23-Dec-2014 FILED: Notice of Payment Appellee UDC Homes, Inc., nka Shea Homes of Phoenix, Inc. Filing Fee; Certificate of Service
25. 23-Dec-2014 FILED: Notice of Payment of Appellee(sic) Aztec Construction Company Filing Fee; Certificate of Service
26. 24-Dec-2014 FILED: Notice of Payment of Third-Party Defendant/Appellee Los Paisanos Development, Inc's Filing Fee; Certificate of Service
27. 26-Dec-2014 RECEIPT No.: 2014-01600 ; \$140.00, Authorization: 60009557888, Applied to: UDC HOMES INC /ELLIOTT HOMES INC - Class B Filing Fee (\$140.00) Paid for: Wood Smith Henning & Berman LLP - By Integrated Resource Systems IN
28. 26-Dec-2014 RECEIPT No.: 2014-01602 ; \$140.00, Authorization: 60009557888, Applied to: JEFF BLANDFORD INVESTMENTS - Class B Filing Fee (\$140.00) Paid for: Wilenchik & Bartness PC - By Integrated Resource Systems IN
29. 26-Dec-2014 RECEIPT No.: 2014-01604 ; \$140.00, Authorization: 60009557888, Applied to: BENTSON CONTRACTING CO - Class B Filing Fee (\$140.00) Paid for: Garrey Woner Hoffmaster & Peshek PC - By Integrated Resource Systems IN
30. 29-Dec-2014 RECEIPT No.: 2014-01608 ; \$140.00, Authorization: #63008694982, Applied to: AZTEC CONSTRUCTION, INC. - Class B Filing Fee (\$140.00) Paid for: Cheryl Scates - By Integrated Resource Systems
31. 20-Jan-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record (including 4th Amended Complaint filed 11/17/14; Amended Ntc of Appeal Filed 1/16/15; Amended Ntc of Appeal (revised) filed 1/16/15; Order of Dismissal as to Westburne Supply filed 1/8/15 and Phoenix's Fourth Supplementl Ntc of Non-Parties at Fault filed 1/13/15)
32. 19-Feb-2015 FILED: Appellant's Opening Brief; Phoenix's Certificate of Compliance; Phoenix's Certificate of Service
33. 25-Feb-2015 FILED: Phoenix's Supplemental Certificate of Service (opening brief) (Appellant)
34. 13-Mar-2015 FILED: Unopposed Joint Motion for Procedural Order Setting Briefing Schedule; Certificate of Service (Appellee)
35. 16-Mar-2015 ORDERED: all answering briefs shall be filed on/before 5/15/15 and reply brief shall be filed on/before 6/25/15. Melina Brill ProTem Judge - Author
36. 14-May-2015 FILED: Answering Brief of Third-Party Defendant/Appellee Bentson Contracting Company; Certificate of Compliance for Answering Brief; Certificate of Service for Answering Brief (withdrawn per order filed on 10/29/15 - rsl)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 14-0739****PHOENIX v. GLENAYRE et al.****129 PROCEEDING ENTRIES**

37. 15-May-2015 RECEIPT No.: 2015-00663 ; \$140.00, Check Number: #3145, Applied to: MICHAEL NEWSOME - Class B Filing Fee (\$140.00) Paid for: MICHAEL NEWSOME - By MICHAEL NEWSOME
38. 15-May-2015 RECEIPT No.: 2015-00664 ; \$140.00, Check Number: #3145, Applied to: MICHAEL NEWSOME - Class B Filing Fee (\$140.00) Paid for: MICHAEL NEWSOME - By NEWCOR SERVICES (Memo: X-REF2015-00663)
39. 15-May-2015 VOID RECEIPT No.: 2015-00663 - \$-140.00, Check Number: #3145, - Applied to: MICHAEL NEWSOME - Class B Filing Fee (\$-140.00) Paid for: MICHAEL NEWSOME - By: MICHAEL NEWSOME VOID Reason: Incorrect Paid By X-ref 2015-00664 (db)
40. 15-May-2015 FILED: Third-Party Defendant/Appellee Swengel-Robbins, Inc.'s Answering Brief; Certificate of Compliance; Certificate of Service
41. 15-May-2015 FILED: Wittman Contracting Company's Answer Brief; Certificate of Compliance; Certificate of Service (Appellee)
42. 15-May-2015 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee Jeff Blandford Investments)
43. 15-May-2015 FILED: Joint Answering Brief of Chi Construction, Continental Homes, Inc., and Other Third-Party Defendants/Appellees; Certificate of Compliance; Certificate of Service (Appellees Chi Construction, et al.; Glenayre, et al.; William Lyon Homes; KB Home, et al.; UDC/Elliott, et al.; Aztec Construction; JNC/UH, et al.; Los Paisanos and Pulte/Del Webb, et al.)
44. 15-May-2015 FILED: Glenayre Electronic Inc.'s Notice of Partial Joinder in Answering Briefs of Bentson Contracting Company and Swengel-Robbins, Inc.; Certificate of Service (Appellee)
45. 15-May-2015 FILED: Third-Party Defendant/Appellee Michael Newsome's Joinder in Chi Construction and Continental Homes Inc's Answer (Pro Per)
46. 18-May-2015 FILED: Glenayre Electronic Inc.'s Notice of Joinder in Answering Brief of Jeff Blandford Investment Inc. and Partial Joinder in Answering Brief of Wittman Contracting Company; Certificate of Service (Appellee)
47. 18-May-2015 FILED: Certificate of Compliance (For Notice of Joinder In Answering Brief of Blandford and Partial Joinder in Answering Brief of Wittman Contracting); Certificate of Service (Appellee Glenayre Electronics, Inc.)
48. 18-May-2015 FILED: Wittman Contracting Company's Notice of Joinder in Answering Brief of Bentson Contracting Company; Certificate of Compliance; Certificate of Service (Appellee)
49. 18-May-2015 FILED: Certificate of Compliance (re Notice of Partial Joinder in Answering Briefs of Bentson Contracting Company and Swengel-Robbins, Inc.); Certificate of Service (Appellee Glenayre Electronics, Inc.)
50. 21-May-2015 RECEIPT No.: 2015-00707 ; \$140.00, Authorization: 40018021246, Applied to: SWENGEL-ROBBINS CONTRACTING - Overpayment Class B (\$140.00) Paid for: Gammage & Burnham PLC - By Integrated Resource Systems IN (Memo: Duplicate Pmt- See Rcpt 2014-01823 - Refund needed)
51. 19-Jun-2015 FILED: Letter, 6/19/15, from COA to Gammage & Burnham re: Refund of duplicate filing fee
52. 24-Jun-2015 FILED: Motion for Leave to File Over-Length Reply Brief; Certificate of Service (Appellant)
53. 25-Jun-2015 FILED: Amended Motion for Leave to File Over-Length Reply Brief; Certificate of Service (Appellant)
54. 25-Jun-2015 FILED: Appellant's Reply Brief; Phoenix's Certificate of Compliance; Phoenix's Certificate of Service
55. 30-Jun-2015 FILED: Request for Oral Argument; Certificate of Service (Appellee)
56. 7-Jul-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
57. 7-Jul-2015 FILED: Phoenix's Opposition to Continental's Request for Oral Argument; Certificate of Service (Appellant)
58. 17-Jul-2015 FILED: Reply in Support of Request for Oral Argument; Certificate of Service (Appellee)
59. 17-Jul-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
60. 21-Jul-2015 ORDERED: Request for Oral Argument (Appellee) = GRANTED. Hon Michael J Brown - Author
61. 21-Jul-2015 ORDERED: Motion for Leave to File Over-Length Reply Brief (Appellant) = GRANTED, accepting the Reply Brief filed 6/25/15. Hon Michael J Brown - Author
62. 5-Aug-2015 FILED: Notice of Withdrawal of Counsel Within Firm; Service List (Appellee)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 14-0739****PHOENIX v. GLENAYRE et al.****129 PROCEEDING ENTRIES**

63. 5-Oct-2015 FILED: Notice of Change of Firm Name; Phoenix's Certificate of Service (Appellant Phoenix)
64. 27-Oct-2015 FILED: Stipulation for Dismissal With Prejudice of Bentson Only; Certificate of Service; [Proposed] Order re Stipulation for Dismissal with Prejudice of Bentson only (Appellant)
65. 29-Oct-2015 ORDERED: Stipulation for Dismissal With Prejudice of Bentson Only; = GRANTED and dismissing appellee Bentson Contracting Company from this appeal, that party to ear its own costs and attorneys' fees. FURTHER ORDERED: Amending caption in this appeal by removing Bentson Contracting Company as an appellee. FURTHER ORDERED: Deeming Bentson Contracting Company's answering brief filed on 5/14/15 as withdrawn. Melina Brill ProTem Judge - Author
66. 29-Jan-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 3-9-16, 10:15 am, COURTROOM 1.
67. 4-Feb-2016 FILED: Notice of Oral Argument
68. 4-Feb-2016 FILED: Amended Notice of Oral Argument
69. 4-Feb-2016 FILED: Courtesy copy of Notice of Oral Argument; Return Receipt for Notice of Oral Argument signed by Ricahrd K Mahrle on 2/4/16; Certificate of Service (Appellee Swengel-Robbins)
70. 8-Feb-2016 FILED: Return Receipt for Notice of Oral Argument signed by Katherine E Baker on 2/4/16; Certificate of Service (Appellee Glenayre)
71. 8-Feb-2016 FILED: Amended Return Receipt for Notice of Oral Argument signed by Dennis I Wilenchik on 2/4/16; Certificate of Service (Appellee Jeff Blandford)
72. 9-Feb-2016 FILED: Return Receipt for Notice of Oral Argument signed by Brad D Bleichner on 2/4/16 (Appellee WM Lyon)
73. 9-Feb-2016 FILED: Return Receipt for Notice of Oral Argument signed by Michael S Rubin on 2/4/16 (Appellees Pulte/Del Webb)
74. 9-Feb-2016 FILED: Amended Return Receipt for Notice of Oral Argument signed by Kevin E O'Malley on 2/4/16; Certificate of Service (Appellees CHI/Continental)
75. 10-Feb-2016 FILED: Amended Return Receipt for Notice of Oral Argument signed by Daniel D Maynard on 2/4/16; Certificate of Service (Appellee JNC/UH Holdings)
76. 11-Feb-2016 FILED: Amended Return Receipt for Notice of Oral Argument signed by Brad Holm on 2/4/16; Certificate of Service (Appellant City of Phoenix)
77. 11-Feb-2016 FILED: Amended Return Receipt for Notice of Oral Argument signed by Vincent J Montel & Rita Bustos on 2/4/16; Certificate of Service (Appellee Los Paisanos)
78. 12-Feb-2016 FILED: Notice of Substitution of Counsel; Certificate of Service to Notice of Substitution of Counsel (Appellant)
79. 18-Feb-2016 FILED: Amended Return Receipt Re Oral Argument, signed by Jason J. Boblick, on 2/4/16; Certificate of Service (Appellee Los Paisanos)
80. 1-Mar-2016 FILED: Amended Return Receipt for Notice of Oral Argument signed by Holly Davies on 2/4/16; Certificate of Service (Appellees KB Home Holdings)
81. 1-Mar-2016 FILED: Notice of Change of Handling Attorney; Certificate of Service (Appellee KB Home Holdings)
82. 2-Mar-2016 FILED: Notice of Appearance; Notice Re Oral Argument; Certificate of Service (Appellant City of Phoenix)
83. 4-Mar-2016 FILED: Certificate of Service (re: Return Receipt Notice of Oral Argument); Return Receipt Notice of Oral Argument signed by Jill Ann Herman on 2/4/16 (Appellees UDC Homes, Inc, et al.)
84. 9-Mar-2016 FILED: Sign-in Sheet/Case is Under Advisement (Dept E)
85. 19-May-2016 OPINION (Affirmed) Hon Kenton D Jones Judge - Author; Hon Diane M Johnsen - Concur; Hon Patricia A Orozco - Concur
86. 19-May-2016 FILED: Opinion Distribution List
87. 31-May-2016 FILED: Application for Award of Attorneys' Fees to Swengel-Robbins, Inc.; Certificate of Service; Affidavit in Support of Application for Award of Attorneys' Fees (Appellee)
88. 31-May-2016 FILED: Statement of Costs; Certificate of Service (Appellee)(Swengel-Robbins Contracting Co Inc)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 14-0739****PHOENIX v. GLENAYRE et al.****129 PROCEEDING ENTRIES**

89. 2-Jun-2016 FILED: Verified Itemized Statement of Costs and Attorneys' Fees; Certificate of Service (Appellee)(Pulte Home)
90. 2-Jun-2016 FILED: Affidavit in Support of Pulte/Del Webb's Verified Statement of Costs and Attorneys' Fees (Appellee)
91. 2-Jun-2016 FILED: Chi Construction Company and Continental Homes, Inc's Application for Award of Attorneys Fees and Expenses; Certificate of Service; Declaration of Kevin E O'Malley in Support of Chi Construction Company and Continental Homes, Inc's Application for Award of Attorneys Fees and Expenses (Appellee)
92. 3-Jun-2016 FILED: Verified Itemized Statement of Attorneys Fees and Costs on Appeal; Certificate of Service; Exhibit A Declaration of Dennis Wilenchik (Appellee) (Jeff Blandford Investments Inc)
93. 3-Jun-2016 FILED: Motion to Extend Deadline for Filing Application for Attorneys' Fees; Certificate of Service (Appellee)
94. 3-Jun-2016 FILED: UDC Homes INC, NKA Shea Homes of Phoenix INC and Elliot Homes, INC'S Application for Award of Attorneys Fees and Expenses; Certificate of Service (Appellee)
95. 3-Jun-2016 FILED: Joinder In Chi Construction Company and Continental Homes, INC'S Application for Award of Attorneys Fees and Expenses; Certificate of Service (Appellee)
96. 3-Jun-2016 FILED: Statement of Cost; Certificate of Service (Appellee) (UDC Homes INC/Elliot Homes INC)
97. 3-Jun-2016 FILED: Glenayre Electronic Inc.'s Application for Award of Attorneys' Fees and Costs on Appeal; Certificate of Service; Exs 1-2 (Appellee)
98. 3-Jun-2016 FILED: Glenayre Electronic Inc.'s Statement of Taxable Costs on Appeal; Certificate of Service; Ex A (Appellee)
99. 3-Jun-2016 FILED: Notice of Appearance; Certificate of Service (Appellees JNC, Inc./UH Holdings, Inc.)
100. 6-Jun-2016 ORDERED: Motion to Extend Deadline for Filing Application for Attorneys' Fees (Appellee) = GRANTED/JNC Inc. and Holdings Inc. application for attorney fees due 06/10/2016. Hon Kenton D Jones Judge - Author
101. 8-Jun-2016 FILED: ASC Order filed 6/8/16 re: extending time to file Petition for Review to 7/20/16
102. 9-Jun-2016 FILED: Application for Award of Attorneys' Fees to JNC Inc. and UH Holdings, Inc.; Certificate of Service; Affidavit in Support of Application for Award of Attorneys' Fees to JNC Inc. and UH Holdings, Inc.; Statement of Costs (Appellee)
103. 13-Jun-2016 FILED: Aztecs Construction Statement of Costs; Certificate of Service (Appellee)
104. 13-Jun-2016 FILED: Application for Award of Attorneys Fees and Costs; Certificate of Service (Appellee Aztec Construction Company)
105. 13-Jun-2016 FILED: Affidavit Support Application of Attorneys Fees on Appeal (Appellee Aztec Construction Company)
106. 20-Jun-2016 FILED: Response to Third-Party Defendants' Applications for Attorneys' Fees; Certificate of Service (Appellant)
107. 22-Jun-2016 FILED: Notice of Change of Firm Name and Fax Number; Certificate of Service (Appellee AZTEC)
108. 5-Jul-2016 FILED: Joinder In Reply In Support Of Attorneys' Fee Award and Separate Reply In Support of Third-Party Defendants' Application For Attorneys' Fees; Certificate of Service (Appellee)(Pulte Home;Del Webb Corp)
109. 5-Jul-2016 FILED: Response to Third-Party Defendant Aztec's Application for Attorneys' Fees; Certificate of Service (Appellant)
110. 5-Jul-2016 FILED: Reply to Application for Award of Attorneys' Fees to JNC Inc. and UH Holdings, Inc.; Certificate of Service (Appellee)
111. 5-Jul-2016 FILED: Glenayre Electronic Inc.'s Reply in Support of Application for Award of Attorneys' Fees and Costs on Appeal; Certificate of Service (Appellee)
112. 5-Jul-2016 FILED: Reply in Support of Swengel-Robbins' Application for Award of Attorneys' Fees; Certificate of Service (Appellee)
113. 5-Jul-2016 FILED: Joinder in Application for Attorneys for and Reply in Support of; Certificate of Service (Appellee)(Wittman Contracting Company)
114. 5-Jul-2016 FILED: Reply to Application for Fees and Expense; Certificate of Service (Appellee UDC Homes, Inc/Elliott Homes)
115. 5-Jul-2016 FILED: Continental Construction Company And Continental Homes, Inc. Reply In Support Of Application For Award Of Attorney's Fees And Expenses; Certificate of Service (Appellee)
116. 5-Jul-2016 FILED: Joinder in CHI Construction Co. and Continental Homes, Inc.'s Application for Attorney Fees and Reply in Support Thereof; Certificate of Service (Appellee)(KB Home/Richmond/MDC/Wood)

Court of Appeals, Division One

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129 PROCEEDING ENTRIES

117. 5-Jul-2016 FILED: Reply in Support of Jeff Blandford Investments Incs Verified Itemized Statement of Attorneys Fees and Costs on Appeal; Certificate of Service (Appellee)
118. 14-Jul-2016 FILED: Glenayre Electronic Inc.'s Reply ISO Application for Award of Attorneys' Fees and Costs on Appeal; Certificate of Service (Appellee)
119. 20-Jul-2016 FILED: Email Notice from ASC re: Petition for Review filed 7/20/16; request for partial record
120. 20-Jul-2016 ORDERED: awarding Third-Party Defendants/Appellees Continental Homes, Inc. and CHI Construction Co. attorneys' fees in amount of \$116,889.79 and costs in amount of \$176.00. FURTHER ORDERED: awarding Third-Party Defendant/Appellee Swengel-Robbins, Inc. attorneys' fees in amount of \$25,602.18 and costs in amount of \$140.00. FURTHER ORDERED: awarding Third-Party Defendant/Appellees Pulte Home Corp. and Del Webb Corp. costs in amount of \$146.00. Pulte did not provide an itemized statement of activity justifying its request for attorneys' fees, and that request is denied. FURTHER ORDERED: awarding Third-Party Defendant/Appellee Jeff Blandford Investments, Inc. attorneys' fees in amount of \$12,840.50 and costs in amount of \$164.00. FURTHER ORDERED: awarding Third-Party Defendants/Appellees UDC Homes, Inc. and Elliott Homes, Inc. attorneys' fees in amount of \$5,971.13 and costs in amount of \$140.00. FURTHER ORDERED: awarding Third-Party Defendant/Appellee Glenayre Electronics, Inc. attorneys' fees in amount of \$5,329.50 and costs in amount of \$182.00. FURTHER ORDERED: awarding Third-Party Defendants/Appellees JNC, Inc. and UH Holdings, Inc. an award of attorneys' fees in amount of \$1,232.50 and costs in amount of \$140.00. FURTHER ORDERED: denying Third-Party Defendant/Appellee Aztec Construction's request for attorneys' fees and costs as untimely. Hon Kenton D Jones Judge - Author
121. 21-Jul-2016 FILED: Letter forwarding partial record to Arizona Supreme Court
122. 22-Jul-2016 FILED: Motion for Reconsideration; Certificate of Service (Appellee)(Pulte Home;Del Webb Corp)
123. 27-Jul-2016 ORDERED: Motion for Reconsideration (Appellee)= GRANTED. Granting Pulte 10 days to submit evidence of having previously filed, with this court, documentation necessary for court to consider its application for attorneys' fees. Hon Kenton D Jones Judge - Author
124. 27-Jul-2016 FILED: ASC Order filed 07/27/2016 re: extension of time for all Appellees to file their Responses to the Petition for Review
125. 2-Aug-2016 FILED: Motion for Procedural Order; Certificate of Service of Pulte's Motion for Procedural Order; Exhibit 1; Exhibit 2 (Appellee Pulte Home)
126. 5-Aug-2016 ORDERED: Motion for Procedural Order (Appellee) = GRANTED. FURTHER ORDERED: awarding Third-Party Defendants/Appellees Pulte Home Corp. and Del Webb Corp. attorney's fees in amount of \$14,168.00. Hon Kenton D Jones Judge - Author
127. 17-Oct-2016 FILED: ASC Order filed 10/17/2016 re: response to the League's amicus brief
128. 13-Dec-2016 FILED: Letter from ASC, 12/13/2016, re: Petition for Review GRANTED on 12/13/2016
129. 23-Dec-2016 FILED: Copy of Letter forwarding complete record to ASC