

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0169

SMARTCOMM et al. v. MAERKI et al.

Appellate Case Information Case Filed: 18-Mar-2015 Case Closed:	Dept/Composition
--	-------------------------

Side 1. SMARTCOMM LICENSE SERVICES, L.L.C., a Delaware limited liability company; et al., Plaintiff/Appellee
(Litigant Group) SMARTCOMM LICENSE SERVICES et al.

- | | |
|---|--|
| <ul style="list-style-type: none"> ● Smartcomm License Services LLC ● Smartcomm LLC | Attorneys for: Plaintiffs/Appellees
Dennis I Wilenchik, Esq. (AZ Bar No. 5350)
Thomas E Lordan, Esq. (AZ Bar No. 7705)
Michael R Somers, Esq. (AZ Bar No. 17501) |
|---|--|

Side 2. KENT MAERKI and NORMA JEAN COFFIN, husband and wife; et al., Defendant/Appellant
(Litigant Group) KENT MAERKI/NORMA JEAN COFFIN

- | | |
|--|------------------|
| <ul style="list-style-type: none"> ● Kent Maerki ● Norma Jean Coffin | PRO SE
PRO SE |
|--|------------------|

(Litigant Group) IBM ADMIN., L.L.C./IBM AGENCY, L.L.C.

- IBC Admin LLC
- IBC Agency LLC

CASE STATUS

Sep 4, 2015.....Stayed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2010-032209	Default Judgment		Benjamin E Vatz, Authoring Judge of Order		

OPEN DUE DATE

Notice of Status of Federal/Bankruptcy Proceedings **Due By:** Friday, March 10, 2017

*Re: * ORDERED: continuing stay of this appeal until further order. FURTHER ORDERED: deferring a ruling on the request for sanctions until the court lifts the stay of this appeal. FURTHER ORDERED: directing appellees to advise this court within 20 days of any*

2 PENDING MATTERS

- | | |
|--|--|
| General Motion
<i>Status Report and Request for Sanctions (Appellee)</i> | Filed: 17-Oct-2016 |
| General Motion
<i>Status Report and Request for Sanctions; Certificate of Service (Appellee)</i> | Filed: 17-Oct-2016
Scheduled: 10-Nov-2016 |

45 PROCEEDING ENTRIES

1. 18-Mar-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 02/18/15
2. 18-Mar-2015 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits - not sent at this time
3. 3-Apr-2015 FILED: Notice to Parties re: Appellants' Fee/Case Management Statement/Brief Due
4. 17-Apr-2015 FILED: Notice of Payment of Appellant Filing Fee
5. 17-Apr-2015 RECEIPT No.: 2015-00500 ; \$280.00, Check Number: 1308, Applied to: KENT MAERKI - Class A Filing Fee (\$280.00) Paid for: - By Mirch Law Firm LLP

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0169

SMARTCOMM et al. v. MAERKI et al.

45 PROCEEDING ENTRIES

6. 23-Apr-2015 FILED: Motion for Procedural Order to Extend Time to 1. Comply with Arizona Rule of Appellate Procedure 11(c)(1) and (3) Appellant Filing Fee Re Transcript Order 2. File Case Management Statement; Certificate of Service; Declaration of Marie Mirch in support of Motion for Procedural Order to Extend Time to 1. Comply with Arizona Rule of Appellate Procedure 11(c)(1) and (3) Appellant Filing Fee Re Transcript Order 2. File Case Management Statement (Appellant)
7. 23-Apr-2015 FILED: Order approving Pro Hac Vice; Certificates of good standing; Pro Hac Vice documents (Appellant)
8. 27-Apr-2015 ORDERED: extending time for filing case management statement to/including 5/14/15. FURTHER ORDERED; extending time for appellants to order transcripts and to file notice of transcript order and statement of issues on appeal to/including 5/14/15. Melina Brill ProTem Judge - Author
9. 29-Apr-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
10. 6-May-2015 FILED: Motion Withdraw as Counsel; Certificate of Service; Exhibit A Certificate of Marie Mirch in Support of Motion to Withdraw (Appellant)
11. 6-May-2015 FILED: Notice of Receipt; Certificates of Good Standing; Verified Application to State Bar (Appellant)
12. 13-May-2015 FILED: Certificate of Compliance regarding Payment of Appellees Filing Fee; Certificate of Service
13. 14-May-2015 FILED: Case Management Statement (Appellants)
14. 14-May-2015 FILED: Notice of Receipt of Complete Application; Certificate of Good Standing; Verified Application to the State Bar of Arizona (Appellant)
15. 14-May-2015 FILED: Notice of Transcript Order and Statement of Issues on Appeal; Certificate of Service (Appellant)
16. 14-May-2015 FILED: Notice of Receipt of Complete Application; Certificates of Good Standing; Verified Application to the State Bar of Arizona (Appellant)
17. 19-May-2015 RECEIPT No.: 2015-00684 ; \$140.00, Authorization: #38014906475, Applied to: SMARTCOMM LICENSE SERVICES et al. - Class B Filing Fee (\$140.00) Paid for: Wilenchik & Bartness PC - By Integrated Resource Systems IN
18. 28-May-2015 FILED: Procedural Motion to Extend Time To File Opening Brief - First Request; Certificate of Service; Declaration of Marie Mirch in Support of Procedural; Motion to Extend Time to File Opening Brief - First Request (Appellant)
19. 28-May-2015 FILED: Notice of Receipt of Completed Application; Certificates of Good Standing; Verified Application to the Arizona State Bar (Appellant)
20. 28-May-2015 ORDERED: Motion Withdraw as Counsel (Appellant) = GRANTED. According to court's records, appellants continue to be represented by Mark D Chester and Ryan Houser of Chester & Stein. Melina Brill ProTem Judge - Author
21. 1-Jun-2015 FILED: Request to Extend Date by Which a Case Management Statement is Filed Due to Appellants' Withdrawal of Counsel (Appellants Pro Per, Kent Maerki and Norma J. Maerki)
22. 1-Jun-2015 ORDERED: Procedural Motion to Extend Time To File Opening Brief - First Request; (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 06-02-2015 to Thursday, 07-02-2015. Melina Brill ProTem Judge - Author
23. 3-Jun-2015 ORDERED: denying appellants' motion for an extension of time for filing the case management statement [previously filed on 5/14/15]. Melina Brill ProTem Judge - Author
24. 23-Jun-2015 FILED: Motion to Withdraw as Counsel of Record for Appellants Kent Maerki and Norma Jean Coffin; Certificate of Service; Proposed Order (Appellant)
25. 24-Jun-2015 FILED: Motion to Withdraw as Counsel of Record for Appellants Kent Maerki and Norma Jean Coffin; Certificate of Service; Order (Appellant)
26. 24-Jun-2015 ORDERED: denying motion to withdraw in its present form. Melina Brill ProTem Judge - Author
27. 8-Jul-2015 FILED: Courtesy Copy Request to Further Extend date by Which and Opening Brief is to be Filed Due to Appellant's Withdrawal of Counsel filed 6/26/15 Maricopa Superior Court (Appellant Pro Per)
28. 8-Jul-2015 FILED: Request to Further Extend date by Which and Opening Brief is to be Filed Due to Appellant's Withdrawal of Counsel (Appellant Pro Per)

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0169

SMARTCOMM et al. v. MAERKI et al.

45 PROCEEDING ENTRIES

29. 9-Jul-2015 ORDERED: Motion to Withdraw as Counsel of Record for Appellants Kent Maerki and Norma Jean Coffin (Appellant) = GRANTED. FURTHER ORDERED: Request to Further Extend date by Which and Opening Brief is to be Filed Due to Appellant's Withdrawal of Counsel (Appellant Pro Per)= GRANTED. Due date EXTENDED from Thursday, 07-02-2015 to Monday, 08-10-2015. FURTHER ORDERED: Appellants are reminded that a corporation may not appear in court w/o an attorney. Melina Brill ProTem Judge - Author
30. 21-Jul-2015 FILED: Returned US Mail, Order re: Motion to Withdraw/Extension of Time - Opening Brief dated 7/9/15, addressed to IBC Agency LLC, Attempted - Not Known/Unable to Forward
31. 28-Jul-2015 FILED: Request to Again Further Extend Date by Which an Opening Brief is to be Filed due to Appellant's Withdrawal of Counsel and Attendance in a Hearing Before the Arizona Corporation Commission Since July 6, 2015 (Appellant Pro Per)
32. 30-Jul-2015 ORDERED: Request to Again Further Extend Date by Which an Opening Brief is to be Filed due to Appellant's Withdrawal of Counsel and Attendance in a Hearing Before the Arizona Corporation Commission Since July 6, 2015 (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 08-10-2015 to Wednesday, 09-09-2015 Melina Brill ProTem Judge - Author
33. 2-Sep-2015 FILED: Judicial Notification of Defendants/Appellants filing of Chapter 7 Bankruptcy (Appellant Pro Per)
34. 4-Sep-2015 ORDERED: staying this appeal until further order. FURTHER directing appellants to advise this court within ten (10) days of any bankruptcy order terminating the stay or dismissing the bankruptcy case and to file written notice with this court on/before 3/3/16. Failure to comply with this order may result in sanctions. Melina Brill ProTem Judge - Author
35. 16-Sep-2015 FILED: Returned US Mail, Order dated 9/4/15, addressed to IBC Admin LLC, Attempted - Not Known
36. 1-Apr-2016 ORDERED: granting an extension until 4/11/16 for appellants to file a written status report of bankruptcy court proceedings, including advising this court whether automatic stay is still in effect w/ respect to this appeal. Barbara Vidal Vaught ProTem Judge - Author
37. 5-Apr-2016 FILED: Response to Order Re: Bankruptcy Status Report (Appellant)
38. 6-Apr-2016 ORDERED: Response to Order Re: Bankruptcy Status Report (Appellant) = GRANTED/continuing stay of appeal. FURTHER ORDERED: Directing appellants to advise this court w/in 10 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and to file written notice with this court of status of bankruptcy proceedings on/before 8/4/16. Barbara Vidal Vaught ProTem Judge - Author
39. 31-Aug-2016 ORDERED: granting an extension until 09/12/2016, for appellants to file a written status report of the bankruptcy court proceedings, including advising this court whether the automatic stay is still in effect with respect to this appeal. No further extension will be granted. Failure to comply with this order may result in sanctions. Melina Brill ProTem Judge - Author
40. 30-Sep-2016 ORDERED: directing appellees to file a status report on/before 10/17/2016, advising this court whether automatic stay is still in effect with respect to this appeal and whether any sanctions should be imposed against appellants for their failure to comply with this court's orders. Melina Brill ProTem Judge - Author
41. 17-Oct-2016 FILED: Status Report and Request for Sanctions; Certificate of Service (Appellee)
42. 17-Oct-2016 FILED: Notice of Errata Regarding Status Report and Request for Sanctions; Certificate of Service (Appellee)
43. 18-Oct-2016 FILED: Returned US Mail, Order re: Bankruptcy Status Report dated 09/30/2016, addressed to IBC Admin LLC, Undeliverable - Return to Sender
44. 10-Nov-2016 ORDERED: continuing stay of this appeal until further order. FURTHER ORDERED: deferring a ruling on the request for sanctions until the court lifts the stay of this appeal. FURTHER ORDERED: directing appellees to advise this court within 20 days of any bankruptcy court order terminating stay or dismissing bankruptcy case and file written notice of status of bankruptcy proceedings on/before 03/10/2017. Melina Brill ProTem Judge - Author
45. 28-Nov-2016 FILED: Returned US Mail, Order re: Bankruptcy Status Report/Sanctions Request dated 11/10/2016, addressed to IBC Agency LLC, Undeliverable - Return to Sender