Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0213 — CAMBONI et al. v. GOLDEN HILLS et al.

Appellate Case Information

Case Filed: 2-Apr-2015

Case Closed:

Dept/Composition

Department B

Hon. Patricia K Norris
Hon. Samuel A Thumma
Hon. Margaret H Downie

Side 1. KING, AMBASSADOR ANTHONY CAMBONI, ESQ.; SHANNON CHABOUDY, Plaintiff/Appellant

(Litigant Group) ANTHONY CAMBONI

- **Anthony Camboni** — PRO SE

(Litigant Group) SHANNON CHABOUDY

- **Shannon Chaboudy** — PRO SE

(Litigant Group) YOUVE GOT BETTER THINGS TO DO, INC. (Dismissed per order filed on 8/19/15)

Side 2. GOLDEN HILLS HOA; HEYWOOD REALTY; MARCUS KLINGLER; JANE DOE KLINGER; LOU DISSETTE; JANE DOE DISSETTE; JANA BRANDT; ADAM BRANDT; JOHN BAROLDY; ANGIE BAROLDY; et al., Defendant/Appellee

(Litigant Group) GOLDEN HILLS HOA et al.

- **Golden Hills HOA**
- **Heywood Realty & Investment Inc**
- **Marcus Klinger**
- **Cassidi Klingler**
- **Lou Dissette**
- **Jana Brandt**
- **Adam Brandt**
- **John Baroldy**
- **Angie Baroldy**

Attorneys for: Defendants/Appellees

Edward G Hochuli, Esq. (AZ Bar No. 4566)
Phillip H Stanfield, Esq. (AZ Bar No. 11729)
Jonah E Rappazzo, Esq. (AZ Bar No. 30642)
Justin M Ackerman, Esq. (AZ Bar No. 30726)

CASE STATUS

Oct 25, 2016.....Decision Rendered

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2014-091592	Aiding and Abetting; Breach of Written and Oral Contract;[see file]		Mark F Aceto, Authoring Judge of Order		

DESCENDENT CASE(S)	
ASC	CV-16-0297-PR
ASC	T-15-0003-CV

OPEN DUE DATE

Petition for Review to ASC due — **Due By:** Thursday, January 26, 2017

[2 extensions]

Re: MEMORANDUM DECISION (Affirmed) Hon Margaret H Downie - Author; Hon Patricia K Norris - Concur; Hon Samuel A Thumma - Concur

CASE DECISION

25-Oct-2016 **MEMORANDUM DECISION**

Margaret Downie.....Author
Patricia Norris.....Concur
Samuel Thumma.....Concur

Filed: **25-Oct-2016** Mandate:

Decision Disposition
Affirmed

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Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0213 CAMBONI et al. v. GOLDEN HILLS et al.

68 PROCEEDING ENTRIES

1.	25-Mar-2015	FILED: King, Ambassador Anthony Camboni, Esq.'s Notice of Appearance (Appellants)
2.	25-Mar-2015	FILED: Case Management Statement (Appellant Camboni)
3.	2-Apr-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 03/04/15 Docketing Statment filed in Superior Court: 3/25/15
4.	2-Apr-2015	FILED: e-Record on Appeal: Instruments/Minute Entries
5.	9-Apr-2015	FILED: Notice to Parties re: Appellant's Fee/Brief Due
6.	27-Apr-2015	RECEIPT No.: 2015-00558 ; $280.00, Authorization: 17-183901694, Applied to: ANTHONY CAMBONI - Class A Filing Fee ($280.00) Paid for: - By ANTHONY CAMBONI
7.	5-May-2015	FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
8.	5-May-2015	FILED: Notice of Paying Filing Fee; Certificate of Service (Appellees)
9.	11-May-2015	RECEIPT No.: 2015-00628 ; $140.00, Authorization: #31004308020, Applied to: GOLDEN HILLS HOA et al. - Class B Filing Fee ($140.00) Paid for: Jones Skelton & Hochuli PLC - By Integrated Resource Systems IN
10.	1-Jun-2015	FILED: Appellants's (sic) Respectful Demand for Modification of Deadline, Concerning Appellants' Opening Brief, Rule 5 Computing and Modifying Deadlines (Appellant Camboni Pro Per)
11.	2-Jun-2015	FILED: Motion to Strike Appellants' Respectful Demand for Modification of Deadline, Concerning Appellants' Opening Brief; Certificate of Service (Appellee)
12.	10-Jun-2015	ORDERED; denying request for hearing and for oral argument. FURTHER ORDERED: On/before 6/22/15, appellant Shannon Chaboudy shall pay filing fee in amount of $280 or file an application for deferral or waiver of court fees and/or costs. If filing fee is not paid by 6/22/15, appeal will be abandoned as to Shannon Chaboudy. FURTHER ORDERED: On/before 6/22/15, appellant You've Got Better Things to Do shall pay filing fee in amount of $280 or file an application for deferral or waiver of court fees and/ or costs. If filing fee is not paid by 6/22/15, appeal will be abandoned as to You've Got Better Things to Do. Appellant is reminded that a corporation may not appear in court w/o an attorney. FURTHER ORDERED: If You've Got Better Things to Do intends to pursue this appeal, it must file a notice of appeal, through a licensed attorney, on/before 7/15/15. If licensed attorney does not file an appeal, You've Got Better Things to Do will be dismissed. FURTHER ORDERED: All opening brief(s) are due on/before 7/15/15. FURTHER ORDERED: Denying appellees' motion to strike. Melina Brill ProTem Judge - Author
13.	11-Jun-2015	FILED: Appellants's (sic) Respectful Response to Appellees' Motion to Strike Appellants' Respectful Demand for Modification of Deadline, Concerning Appellants' Opening Brief (Appellant Pro Per)
14.	22-Jun-2015	RECEIPT No.: 2015-00859 ; $280.00, Check Number: #2152, Applied to: YOU'VE GOT BETTER THINGS - Class A Filing Fee ($280.00) Paid for: - By YOU'VE GOT BETTER THINGS
15.	22-Jun-2015	RECEIPT No.: 2015-00860 ; $280.00, Check Number: #2153, Applied to: SHANNON CHABOUDY - Class A Filing Fee ($280.00) Paid for: - By SHANNON CHABOUDY
16.	22-Jun-2015	RECEIPT No.: 2015-00861 ; $280.00, Check Number: #2152, Applied to: SHANNON CHABOUDY - Class A Filing Fee ($280.00) Paid for: - By YOU'VE GOT BETTER THINGS (Memo: X-ref Rcpt 2015-00859)
17.	22-Jun-2015	RECEIPT No.: 2015-00862 ; $280.00, Check Number: #2152, Applied to: YOU'VE GOT BETTER THINGS - Appellant's Filing Fee ($280.00) Paid for: - By SHANNON CHABOUDY (Memo: X-ref Rcpt 2015-00861)
18.	22-Jun-2015	VOID RECEIPT No.: 2015-00859 - $-280.00, Check Number: #2152, - Applied to: YOU'VE GOT BETTER THINGS - Class A Filing Fee ($-280.00) Paid for: - By: YOU'VE GOT BETTER THINGS VOID Reason: X-ref 2015-00861 Incorrect Paid By (db)
19.	22-Jun-2015	VOID RECEIPT No.: 2015-00861 - $-280.00, Check Number: #2152, - Applied to: SHANNON CHABOUDY - Class A Filing Fee ($-280.00) Paid for: - By: YOU'VE GOT BETTER THINGS (Memo: X-ref Rcpt 2015-00859) VOID Reason: X-ref 2015-00862 Incorrect Account and Paid By (db)
20.	22-Jun-2015	FILED: Appellants' Respectful Demand for Modification of Deadline, Concerning Appellants Response to This Appeals Court's 6/10/2015 Order/Rule 5. Computing and Modifying Deadlines (Appellant Camboni Pro Per)
21.	22-Jun-2015	FILED: Appellants' Respectful Advise to Court, Concerning Payment of Filing Fees

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68 PROCEEDING ENTRIES

22.	24-Jun-2015	ORDERED: Appellants' Respectful Demand for Modification of Deadline, Concerning Appellants Response to This Appeals Court's 6/10/2015 Order/Rule 5. Computing and Modifying Deadlines (Appellant Pro Per) = GRANTED/extending time for appellants to file a motion for reconsideration of this court's 6/10/15 order to/including 7/6/15. Melina Brill ProTem Judge - Author
23.	29-Jun-2015	FILED: Appellants's (sic) Respectful Demand for Modification of Deadline, Concerning Appellants' Opening Brief Rule 5. Computing and Modifying Deadlines (Appellant Camboni Pro Per)
24.	29-Jun-2015	FILED: King, Ambassador Anthony Camboni, Esq.'s Respectful Notice of Appearance to This Appeals Court (Appellant Pro Per)
25.	8-Jul-2015	FILED: Appellants' Respectful Demand for Reconsideration of This Appeals Court's 06/10/2015 Order re: Filing Fees/Notice of Appeal/Opening Brief/Motion to Strike (Appellant Camboni Pro Per)
26.	8-Jul-2015	ORDERED: (re: extension and notice of appearance) If "You've Got Better Things to Do, Inc." intends to purse this appeal, it must file a notice of appeal through a licensed attorney on/before 8/14/15. If "You've Got Better Things to Do, Inc." fails to file by 8/14/15, "You've Got Better Things to Do" will be dismissed from this appeal. FURTHER ORDERED: Extending time for filing opening brief to/including 8/14/15. Hon Patricia A Orozco - Author
27.	14-Jul-2015	ORDERED: Appellants' Respectful Demand for Reconsideration of This Appeals Court's 06/10/2015 Order re: Filing Fees/Notice of Appeal/Opening Brief/Motion to Strike (Appellant Pro Per) = DENIED. FURTHER ORDERED: Confirming this court's 7/8/15 order directing appellant You've Got Better Things to Do, Inc.., to file a notice of appeal through a licensed attorney on/before 8/14/15. If You've Got Better Things to Do, Inc.., fails to file a notice, it will be dismissed from this appeal. Hon Patricia A Orozco - Author
28.	16-Jul-2015	FILED: Appellants' Respectful Advise to Court, Concerning Error in Appeals Court's 07/08/2015 Order With Regard to Appellants' 06/10/2015 Filing of Motion for Reconsideration and Motion for Clarification (Appellant Camboni Pro Per)
29.	17-Jul-2015	ORDERED: taking no action on appellants' "Respectful Advise to Court, Concerning Error in Appeals Court's 7/8/15 Order with Regard to Appellants' 6/10/15 Filing of Motion for Reconsideration." FURTHER ORDERED: denying appellants' request for a hearing. FURTHER ORDERED: denying appellants' motion for clarification. Barbara Vidal Vaught ProTem Judge - Author
30.	13-Aug-2015	FILED: Appellants' Respectful Demand for Modification of Deadline, Concerning Appellants' Opening Brief Rule 5. Computing and Modifying Deadlines (Appellant Camboni Pro Per)
31.	13-Aug-2015	FILED: Appellant's Respectful Motion for Suspension of Rules - ARCAP Rule 3 (Appellant Camboni Pro Per)
32.	14-Aug-2015	FILED: Courtesy Copy of King, Ambassador Anthony Camboni Esq.'s Respectful Motion for Suspension of Rules and Motion for Transfer of Appeal to Arizona's Supreme Court (Filed in Arizona Supreme Court)
33.	17-Aug-2015	FILED: ASC Order filed 8/17/15 re: denying motions
34.	19-Aug-2015	ORDERED: denying appellants' request for a hearing. FURTHER ORDERED: Denying appellants' motion for an extension of time for filing opening brief. FURTHER ORDERED: Opening brief shall be filed on/before 8/31/15. If not timely filed, court shall dismiss this appeal. FURTHER ORDERED: Appellant's Respectful Motion for Suspension of Rules - ARCAP Rule 3 (Appellant Pro Per) = DENIED. FURTHER ORDERED: Dismissing You've Got Better Things to Do, Inc. from this appeal. FURTHER ORDERED: Amending caption in this appeal by removing You've Got Better Things to Do, Inc., as an appellant. Hon Lawrence F Winthrop - Author
35.	31-Aug-2015	FILED: Opening Brief of Appellants (Pro Pers)
36.	31-Aug-2015	FILED: Appendix to Opening Brief of Appellants (Pro Pers)
37.	30-Sep-2015	FILED: Motion to Extend Briefing Schedule (Answering Brief); Certificate of Service (Appellee)
38.	1-Oct-2015	ORDERED: Motion to Extend Briefing Schedule (Answering Brief) (Appellee) = GRANTED. Due date EXTENDED from Monday, 10-19-2015 to Wednesday, 11-18-2015. Melina Brill ProTem Judge - Author
39.	13-Nov-2015	FILED: Appellants' Respectful Advise to Court, Concerning Maxwell & Morgan Defendants' Answering Brief and Motion for Clarification (Appellant Pro Per)
40.	18-Nov-2015	FILED: Answering Brief of Defendants Goldens Hills HOA; Heywood Realty & Investment, Inc; Marcus Klingler, Cassidi Klingler, Lou Dissette, Jana Brandt, Adam Brandt, John Baroldy and Angie Baroldy; Certificate of Compliance; Certificate of Service

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68 PROCEEDING ENTRIES

41.	19-Nov-2015	ORDERED: Appellants' Respectful Advise to Court, Concerning Maxwell & Morgan Defendants' Answering Brief and Motion for Clarification (Appellant Pro Per) = GRANTED. FURTHER ORDERED: Clarifying parties to appeal as stated herein. FURTHER ORDERED: Staying this appeal to/including 1/4/16, and revesting jurisdiction in Maricopa Superior Court to consider application by appellants for a signed order for certification of finality pursuant to Rule 54(c). FURTHER ORDERED: If superior court grants application, appellants shall file a copy of signed order w/in 10 days after its entry. Appeal will be automatically reinstated. FURTHER ORDERED: If appeal has not been reinstated, appellants shall file a request to continue stay of appeal. If not appellants doe not file a request, appeal may be dismissed. FURTHER ORDERED: If signed order has been filed, reply brief shall be due on 1/25/16. Hon Randall M Howe - Author
42.	28-Dec-2015	RECEIPT No.: 2015-01774 ; $280.00, Check Number: #2152, Applied to: YOUVE GOT BETTER THINGS TO DO, INC. (Dismissed per - Class A Filing Fee ($280.00) Paid for: - By SHANNON CHABOUDY (Memo: X-Ref Rcpt 2015-00862)
43.	28-Dec-2015	VOID RECEIPT No.: 2015-00862 - $-280.00, Check Number: #2152, - Applied to: YOU'VE GOT BETTER THINGS - Appellant's Filing Fee ($-280.00) Paid for: - By: SHANNON CHABOUDY (Memo: X-ref Rcpt 2015-00861) VOID Reason: x-ref 2015-01774 incorrect receivable. alc
44.	28-Dec-2015	FILED: Plaintiff, King, Ambassador Anthony Camboni, ESQ.'s Advise to Court, Concerning Filing of Federal Court Complaint CV-15-2538-PHX-JZB Against The State of Arizona, Maricopa County and (Judge) Robert Oberbilling and Plaintiff, King, Ambassador Anthony Camboni, ESQ.'s Motion for Transfer to a Different Venue – ARS-12-406 and Motion to Strike Judge Oberbilling's 12/15/2015 Minute Entry (Appellant Pro Per)
45.	29-Dec-2015	FILED: Supplemented Superior Court e-Record with Revised Index of Record
46.	6-Jan-2016	FILED: Plaintiffs'/Appellants Respectful Demand to Continue Stay of Appeal (Appellant Pro Per)
47.	7-Jan-2016	ORDERED: Plaintiffs'/Appellants Respectful Demand to Continue Stay of Appeal (Appellant Pro Per) = GRANTED. FURTHER ORDERED: Continuing stay of this appeal to/including 2/8/16 for purposes set forth in this court's 11/19/15 order. Appeal will be automatically reinstated on 2/9/16, unless before that date appellants file a request to continue stay of appeal. If appellants doe not file a request to continue stay and superior court has not entered an order w/ certification of finality pursuant to Rule 54(c), appeal may be dismissed. Melina Brill ProTem Judge - Author
48.	25-Jan-2016	ORDERED: denying appellants' motion to strike 12/17/15 minute entry as request is more properly addressed to superior court. FURTHER ORDERED: Denying appellants' motion to transfer venue of this appeal. Hon Patricia A Orozco - Author FURTHER ORDERED: taking no action on appellants' motion to transfer venue of any superior court action as such request is more properly addressed to superior court. FURTHER ORDERED: Reaffirming this court's 1/7/16 order continuing stay of this appeal to/including 2/8/16. Hon Patricia A Orozco - Author
49.	26-Jan-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes minute entry filed 1/12/16 advising that order of 2/23/15 a handwritten sentence to the order signed order included Rule 54(c) verbage)
50.	8-Feb-2016	FILED: Motion to Vacate Order Staying Appeal; Certificate of Service; Exhibit A (Appellee)
51.	9-Feb-2016	ORDERED: Motion to Vacate Order Staying Appeal (Appellee) = DENIED as moot. FURTHER ORDERED: Reply brief shall be filed on/before 2/29/16. Barbara Vidal Vaught ProTem Judge - Author
52.	29-Feb-2016	FILED: Motion for Procedural Order Appellants's (sic) Respectful Demand for Modification of Deadline, Concerning appellants' Reply Brief, Rule 5. Computing and Modifying Deadlines (Appellant Pro Per)
53.	2-Mar-2016	ORDERED: Motion for Procedural Order Appellants's (sic) Respectful Demand for Modification of Deadline, Concerning appellants' Reply Brief, Rule 5. Computing and Modifying Deadlines (Appellant Pro Per) = GRANTED in part. Due date EXTENDED from Monday, 02-29-2016 to Monday, 03-21-2016. Barbara Vidal Vaught ProTem Judge - Author
54.	30-Mar-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
55.	31-Mar-2016	FILED: Notice of Change of Firm Address; Certificate of Service (Appellee)
56.	6-Apr-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
57.	29-Aug-2016	CLNDR: CONFERENCE, Department B, 10-18-16, COURTROOM 1.
58.	25-Oct-2016	MEMORANDUM DECISION (Affirmed) Hon Margaret H Downie - Author; Hon Patricia K Norris - Concur; Hon Samuel A Thumma - Concur
59.	25-Oct-2016	FILED: Memorandum Decision Distribution List

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68 PROCEEDING ENTRIES

60.	3-Nov-2016	FILED: Application for Attorneys' Fees; Certificate of Service; Affidavit in support of Application for Attorneys' Fees (Appellee)
61.	3-Nov-2016	FILED: Statement of Costs; Certificate of Service (Appellee)
62.	15-Nov-2016	FILED: King, Ambassador Anthony Camboni, ESQ'S Respectful Demand for Modification of Deadline, Concerning Response to Appellees Application for Attorneys Fees (Appellant Pro Per)
63.	17-Nov-2016	ORDERED: Extending the time to file a response to Appellee's Motion for Attorneys' Fees and Costs to 12/13/16. Appellees may file a reply no later than 12/27/16. Hon Margaret H Downie - Author
64.	2-Dec-2016	FILED: ASC Order filed 12/02/2016 re: extending time for filing Petition for Review to 12/27/2016
65.	6-Dec-2016	FILED: King, Ambassador Anthony Camboni, ESQ'S Respectful Response in Opposition to Appellees Application for Attorneys Fees (Appellant Pro Per)
66.	9-Dec-2016	FILED: Defendants/Appellees' Reply in support of Application for Attorneys' Fees and Costs; Certificate of Service (Appellee)
67.	15-Dec-2016	ORDERED: awarding appellees attorneys' fees in the amount of $11,235 and costs in the sum of $193 for a total of $11, 428. Hon Margaret H Downie - Author
68.	27-Dec-2016	FILED: ASC Order filed 12/27/2016 re: extending time for filing Petition for Review to 01/26/2017

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