Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0350 OVERMYER et al. v. STATE et al.

Appellate Case Information

Case Filed: 28-May-2015

Case Closed:

Dept/Composition

Department E

Hon. Kent E Cattani
Hon. Lawrence F Winthrop

Consolidated with: 1 CA-CV 15-0349

Side 1. CHUCK OVERMYER and NINA BILL OVERMYER, both as individuals and as representatives of a class consisting of all of the residents of Yarnell, Glen Ilah, Peeples Valley, and the surrounding geographical area who suffered damages as a result of the Yarnell Hill Fire, Plaintiff/Appellant

(Litigant Group) CHUCK OVERMYER et al.

- **Chuck Overmyer**
- **Nina Bill Overmyer**

Attorneys for: Plaintiffs/Appellants

Craig A Knapp, Esq. (AZ Bar No. 13580)
Michael C Sheedy, Esq. (AZ Bar No. 11978)
David L Abney, Esq. (AZ Bar No. 9001)

Side 2. STATE OF ARIZONA, a public entity; and the ARIZONA STATE FORESTRY DIVISION, a public entity, Defendant/Appellee

(Litigant Group) STATE OF ARIZONA et al.

- **State of Arizona**
- **Arizona State Forestry Division**

Co-Counsel for: Defendants/Appellees

Brock J Heathcotte, Esq. (AZ Bar No. 14466)
Michael L Parrish, Esq. (AZ Bar No. 15956)
Daniel P Schaack, Esq. (AZ Bar No. 10715)
Brandon R Nagy, Esq. (AZ Bar No. 30993)

CASE STATUS

Sep 23, 2016....Under Advisement

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2014-009071	Class Action Complaint		J Richard Gama, Authoring Judge of Order		

PENDING MATTER

General Motion Filed: 19-Sep-2016

Motion to Strike Part of Plaintiffs/Appellants' Supplemental Citation of Legal Authority (Appellee)

32 PROCEEDING ENTRIES

1.	28-May-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/29/15; Plaintiffs' First Amended Notice of Appeal from Maricopa County Superior Court filed 5/4/15
2.	28-May-2015	FILED: e-Record on Appeal: Instruments/Minute Entries
3.	2-Jun-2015	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	12-Jun-2015	FILED: Request for Oral Argument; Certificate of Service for Request for Oral Argument (Appellant)
5.	17-Jun-2015	RECEIPT No.: 2015-00838 ; $280.00, Authorization: #67011291618, Applied to: CHUCK OVERMYER et al. - Class A Filing Fee ($280.00) Paid for: Knapp & Roberts PC - By Integrated Resource Systems IN
6.	22-Jun-2015	FILED: Appellee's Notice re: No Appellee's Fee Due/Appellant's Brief Due
7.	22-Jun-2015	FILED: Case Management Statement (Appellant)
8.	6-Jul-2015	FILED: Joint Motion to Consolidate the Acri and Overmyer Appeals; Certificate of Service for Joint Motion to Consolidate the Acri and Overmyer Appeals (Appellant)

Information presented in this document may not reflect all case activity and is subject to change without notice.

32 PROCEEDING ENTRIES

9.	28-Jul-2015	ORDERED: granting motion and consolidating case 1 CA-CV 15-0349 w/ 1 CA-CV 15-0350. Case No. CA-CV 15-0349 is designated primary number and above caption shall be used on all future documents. Melina Brill ProTem Judge - Author
10.	3-Aug-2015	FILED: Opening Brief of Plaintiffs-Appellants; Certificate of Compliance for Opening Brief of Plaintiffs-Appellants; Certificate of Service for Opening Brief of Plaintiffs-Appellants
11.	3-Sep-2015	FILED: Stipulation to Extend Deadline to File Answering Brief; Certificate of Service (Appellee)
12.	8-Sep-2015	ORDERED: Stipulation to Extend Deadline to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 09-21-2015 to Wednesday, 10-21-2015. Melina Brill ProTem Judge - Author
13.	16-Sep-2015	FILED: Letter, 9/16/15, COA to Stinson Leonard Street LLP re: Refund of duplicate [sic] (exempt) filing fee
14.	21-Oct-2015	FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellees State of AZ/AZ State Forestry)
15.	22-Oct-2015	FILED: Notice of Association of Assistant Attorney General; Certificate of Service (Appellee)
16.	10-Nov-2015	FILED: Plaintiffs/Appellants' Motion to Extend the Time for Filing a Reply Brief; Certificate of Service for Plaintiffs/Appellants' Motion to Extend the Time for Filing a Reply Brief (Appellant)
17.	13-Nov-2015	ORDERED: Plaintiffs/Appellants' Motion to Extend the Time for Filing a Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-16-2015 to Monday, 12-07-2015. Melina Brill ProTem Judge - Author
18.	7-Dec-2015	FILED: Reply Brief of Plaintiffs-Appellants; Certificate of Compliance for Reply Brief of Plaintiffs-Appellants; Certificate of Service for Reply Brief of Plaintiffs-Appellants
19.	29-Dec-2015	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
20.	8-Jan-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
21.	12-Jan-2016	ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Michael J Brown - Author
22.	7-Jul-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 9-21-16, 11:00 am, COURTROOM 2.
23.	10-Aug-2016	FILED: Notice of Oral Argument
24.	10-Aug-2016	FILED: Notice of Filing Return Receipt for Notice of Oral Argument, Signed by David L Abney on 08/10/2016; Certificate of Service for Notice of Filing Return Receipt for Notice of Oral Argument (Appellant)
25.	11-Aug-2016	FILED: Receipt for Notice of Oral Argument, Signed by Brock J Heathcotte (Appellees)
26.	25-Aug-2016	ORDERED: granting the request (to audiotape oral argument), subject to restrictions as outlined in order. If any party objects to all or part of this order, that party shall file a motion to reconsider prior to 09/14/2016. Hon Kent E Cattani Judge - Author
27.	29-Aug-2016	FILED: Supplemental Citation of Legal Authority; Certificate of Service (Appellee)
28.	19-Sep-2016	FILED: Motion to Strike Part of Plaintiffs/Appellants' Supplemental Citation of Legal Authority; Certificate of Service (Appellee)
29.	23-Sep-2016	FILED: Sign-in Sheet/Case is Under Advisement as of 09/21/2016 (Dept E)
30.	22-Nov-2016	FILED: Plaintiffs/Appellants' Second Set of Supplemental Citations of Legal Authority; Certificate of Service for Plaintiffs/Appellants' Second Set of Supplemental Citations of Legal Authority (Appellants)
31.	13-Dec-2016	FILED: Second Supplemental Citation of Legal Authority; Certificate of Service (Appellee)
32.	3-Jan-2017	FILED: Third Supplemental Citation of Legal Authority; Certificate of Service (Appellee)

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