Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0368 MIRCHANDANI v. BMO

Appellate Case Information

Case Filed: 4-Jun-2015

Case Closed:

Dept/Composition

Department A

Hon. Kenton D Jones
Hon. Randall M Howe
Hon. Donn Kessler

Side 1. HARESH MIRCHANDANI, Plaintiff/Appellant

(Litigant Group) HARESH MIRCHANDANI

- **Haresh Mirchandani** PRO SE

Side 2. BMO HARRIS BANK, N.A., successor to M&I Marshall and Ilsley Bank, a chartered banking institution; and TradeCor Desert Sky II, LLC, Defendant/Appellee

(Litigant Group) BMO HARRIS BANK NA

- **BMO Harris Bank NA**

Attorneys for: Defendant/Appellee

Jeffrey J Goulder, Esq. (AZ Bar No. 10258)

Stefan Palys, Esq. (AZ Bar No. 24752)

CASE STATUS

Jan 9, 2017.....Pending Closure

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2011-099950	Breach of Contract; Promissory Estoppel [See file]		David King Udall, Authoring Judge of Order		

DESCENDENT CASE(S)

ASC CV-17-0038-PR

OPEN DUE DATE

Petition for Review to ASC due **Due By:** Tuesday, January 24, 2017

Re: ORDERED: Motion for Reconsideration (Appellant) = DENIED. Hon Donn Kessler - Author

2 CASE DECISIONS

02-Jul-2015 ORDER

Vacated
ORDERED: granting appellee's motion and dismissing this appeal for lack of jurisdiction.

Melina Brill.....Author

Filed: **02-Jul-2015** Mandate:

Decision Disposition: ***Dismissed***

20-Dec-2016 MEMORANDUM DECISION

Donn Kessler.....Author
Kenton Jones.....Concur
Randall Howe.....Concur

Filed: **20-Dec-2016** Mandate:

Decision Disposition: ***Affirmed in Part Dismissed in Part***

38 PROCEEDING ENTRIES

1.	4-Jun-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 05/07/15
2.	4-Jun-2015	FILED: e-Record on Appeal: Instruments/Minute Entries
3.	8-Jun-2015	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	10-Jun-2015	FILED: Appellee's Motion to Dismiss the Appeal; Certificate of Service; Exhibit A and B (Appellee)

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

38 PROCEEDING ENTRIES

5.	11-Jun-2015	RECEIPT No.: 2015-00809 ; $140.00, Check Number: #14161, Applied to: BMO HARRIS BANK NA - Class B Filing Fee ($140.00) Paid for: - By Stinson Leonard Street
6.	19-Jun-2015	FILED: Response to Motion to Dismiss the Appeal; Certificate of Service; Exhibits 1-8 (Appellant)
7.	23-Jun-2015	FILED: Case Management Statement; Certificate of Service (Appellant Pro Per)
8.	24-Jun-2015	RECEIPT No.: 2015-00874 ; $280.00, Authorization: #74015248235, Applied to: HARESH MIRCHANDANI - Class A Filing Fee ($280.00) Paid for: HARESH MIRCHANDANI - By Integrated Resource Systems IN
9.	24-Jun-2015	FILED: Appellee's Reply in Suport of its Motion to Dismiss the Appeal; Certificate of Service (Appellee)
10.	25-Jun-2015	FILED: Notice of Objection to BMO Reply on Motion to Dismiss Appeal; Certificate of Service; Exhibit 1 (Appellant)
11.	2-Jul-2015	ORDERED: granting appellee's motion and dismissing this appeal for lack of jurisdiction. Melina Brill ProTem Judge - Author (see order reinstating appeal filed on 8/31/15 - rsl)
12.	9-Jul-2015	FILED: Motion to Reconsider Order Dismissing Appeal Based on the Trial Court's Final Judgment; Certificate of Compliance; Certificate of Service; Exhibits 1-13 to Motion to Reconsider (Appellant)
13.	15-Jul-2015	ORDERED: requesting that appellee file a response to the motion for reconsideration on or before 7/31/15. Appellant may file a reply on or before 8/12/15. Melina Brill ProTem Judge - Author
14.	31-Jul-2015	FILED: Appellee's Response to Motion to Reconsider; Permission by Order; Certificate of Service; Exhibit A (Appellee)
15.	12-Aug-2015	FILED: Reply on Motion to Reconsider Order Dismissing Appeal Based on the Trial Court's Final Judgment Entered 4/8/15; Certificate of Service; Exhibit 1-7 (Appellant)
16.	31-Aug-2015	ORDERED: Motion to Reconsider Order Dismissing Appeal Based on the Trial Court's Final Judgment (Appellant) = GRANTED and reinstating appeal. FURTHER ORDERED: Opening brief shall be filed on/before 9/30/15. Hon Lawrence F Winthrop - Author
17.	17-Sep-2015	FILED: Motion to extend time for opening brief; Certificate of service (Appellant)
18.	18-Sep-2015	ORDERED: Motion to extend time for opening brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 09-30-2015 to Friday, 10-30-2015. Melina Brill ProTem Judge - Author
19.	28-Oct-2015	FILED: Appellant's Opening Brief; Certificate of Compliance Re Appellants Opening Brief; Certificate of Service; Appendix to Opening Brief
20.	6-Nov-2015	FILED: Appellee's Motion to Supplement the Record; Certificate of Service; Proposed Order (Appellee)
21.	30-Nov-2015	FILED: Response to Appellee Motion to Supplement the Record; Certificate of service; Exhibits A B Nov 30 2015 (Appellant)
22.	1-Dec-2015	FILED: Appellee's Reply in Support of the Motion to Supplement the Record; Certificate of Service (Appellee)
23.	8-Dec-2015	ORDERED: Appellee's Motion to Supplement the Record (Appellee) = DENIED without prejudice. FURTHER ORDERED: Denying appellant's request to file a two page supplement to his opening brief. Melina Brill ProTem Judge - Author
24.	10-Dec-2015	FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service
25.	30-Dec-2015	FILED: Reply Brief; Certificate of Compliance re: Reply Brief; Certificate of Service (Appellant Pro Per)
26.	15-Jan-2016	FILED: Appellee's Notice of Errata re Answering Brief; Certificate of Service; (Appendix to Appellee's Notice of Errata) Appellee's Answering Brief
27.	28-Jan-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
28.	3-Feb-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
29.	29-Aug-2016	CLNDR: CONFERENCE, Department A, 10-25-16, COURTROOM 2.

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38 PROCEEDING ENTRIES

30.	6-Oct-2016	ORDERED: (per Eaton Fruit Co. v. California Spray-Chemical Corp) staying appeal to/including 11/01/2016. Superior Court ruling on application for signed orders corresponding to 05/21/2016 and 06/11/2016 orders due within 10 days after its entry. If a signed order and the timely filed amended notice of appeal have been filed with this court, no further briefing will be permitted on the appeal from such orders. FURTHER ORDERED: vacating this case from the conference currently scheduled for 10/25/2016 and re-scheduling conference of this case to 11/22/2016. Hon Kenton D Jones Judge - Author
31.	27-Oct-2016	FILED: Notice of signed Order Received from Arizona Superior Court; Certificate of Service (Appellant)
32.	28-Oct-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
33.	16-Nov-2016	FILED: Memorandum moving case from 11/22/16 to 11/21/16 (K. Cartier)
34.	20-Dec-2016	MEMORANDUM DECISION (Affirmed in Part, Dismissed in Part) Hon Donn Kessler - Author; Hon Kenton D Jones - Concur; Hon Randall M Howe - Concur
35.	20-Dec-2016	FILED: Memorandum Decision Distribution List
36.	3-Jan-2017	FILED: Motion for Reconsideration; Certificate of Compliance Re Motion for Reconsideration; Certificate of Service; EXHIBITS 1 - 23 (Appellant)
37.	5-Jan-2017	FILED: Appellee's Notice re Non-Application of Attorneys' Fees; Certificate of Service re Appellee's Notice re Non-Application of Attorneys' Fees (Appellee)
38.	9-Jan-2017	ORDERED: Motion for Reconsideration (Appellant) = DENIED. Hon Donn Kessler - Author

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