

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 15-0416**

**JOHNSON v. ALMIDA**

**Appellate Case Information**

Case Filed: 25-Jun-2015  
Case Closed:

**Dept/Composition**

**Department E (August)**

Hon. Peter B Swann  
Hon. Jon W Thompson  
Hon. Donn Kessler

**Side 1. BARRETT JOHNSON, a single man, Plaintiff/Appellant  
(Litigant Group) BARRETT JOHNSON**

- Barrett Johnson

**Attorneys for: Plaintiff/Appellant**

Robert E Schmitt, Esq. (AZ Bar No. 3585)  
Andrew J Becke, Esq. (AZ Bar No. 25362)

**Side 2. ALMIDA LAND AND CATTLE COMPANY, LLC, an Arizona limited liability company, Defendant/Appellee  
(Litigant Group) ALMIDA LAND & CATTLE COMPANY LLC**

- Almida Land & Cattle Company LLC

**Attorneys for: Defendant/Appellee**

Matthew D Kleifield, Esq. (AZ Bar No. 11564)  
Robert C Ashley, Esq. (AZ Bar No. 22335)

**CASE STATUS**

Dec 30, 2016....Pending in ASC

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YAV P1300CV201300017	Negligence; Negligence Per Se; Gross Negligence/Punitive Damages		David L Mackey, Authoring Judge of Order		

**DESCENDENT CASE (S)**

ASC CV-16-0280-PR

**CASE DECISION**

**03-Nov-2016 OPINION**

Peter Swann.....Author  
Jon Thompson.....Concur  
Donn Kessler.....Concur

Filed: **03-Nov-2016** Mandate:

Decision Disposition
<b>Reversed Remanded</b>

**30 PROCEEDING ENTRIES**

- 25-Jun-2015 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 05/26/15
- 25-Jun-2015 FILED: e-Reporters Transcript (04/20/15 [Lisa A Chaney])
- 25-Jun-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
- 1-Jul-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
- 7-Jul-2015 FILED: Case Management Statement; Yavapai County Superior Court Ruling filed 4/29/15 (Appellant)
- 7-Jul-2015 FILED: Case Management Statement (Duplicate); Judgment dated 5/20/15, filed 5/21/15 (Appellant)
- 13-Jul-2015 RECEIPT No.: 2015-00953 ; \$280.00, Authorization: Ref1#94010163500, Applied to: BARRETT JOHNSON - Class A Filing Fee (\$280.00) Paid for: Murphy Schmitt Hathaway & Wilson PLLC - By Intresys Inc
- 20-Jul-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 15-0416****JOHNSON v. ALMIDA****30 PROCEEDING ENTRIES**

9. 31-Jul-2015 RECEIPT No.: 2015-01053 ; \$140.00, Check Number: #100652, Applied to: ALMIDA LAND & CATTLE COMPANY LLC - Class B Filing Fee (\$140.00) Paid for: - By Lewis Brisbois Bisgaard & Smith LLP
10. 28-Aug-2015 FILED: Plaintiff's/Appellant's Opening Brief; Certificate of Compliance; Certificate of Service
11. 29-Sep-2015 FILED: Unopposed Motion to Extend Time to File Answering Brief; Certificate of Service (Appellee)
12. 30-Sep-2015 ORDERED: Unopposed Motion to Extend Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 10-13-2015 to Thursday, 11-12-2015. Melina Brill ProTem Judge - Author
13. 1-Oct-2015 RECEIPT No.: 2015-01363 ; \$140.00, Authorization: #73016443000, Applied to: ALMIDA LAND & CATTLE COMPANY LLC - Overpayment Class B (\$140.00) Paid for: Stephanie Hansen - By Integrated Resource Systems IN (Memo: overpayment 2015-01053)
14. 9-Nov-2015 FILED: Letter, 11/9/15, from Court to Stephanie Hansen re: Refund of monies submitted in error
15. 12-Nov-2015 FILED: Defendant/Appellee's Answering Brief; Defendant/Appellee's Certificate of Compliance for Answering Brief; Defendant/Appellee's Certificate of Service for Answering Brief
16. 17-Nov-2015 RECEIPT No.: 2015-01605 ; \$140.00, Authorization: #20025776552, Applied to: ALMIDA LAND & CATTLE COMPANY LLC - Overpayment Class B (\$140.00) Paid for: Stephanie Hansen - By Integrated Resource Systems IN (Memo: Overpayment - see Rcpt 2015-01053 - Refund Needed)
17. 1-Dec-2015 FILED: Plaintiff's/Appellant's Motion for Extension of Time for Filing Reply Brief; Certificate of Service (Appellant)
18. 3-Dec-2015 ORDERED: Plaintiff's/Appellant's Motion for Extension of Time for Filing Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 12-07-2015 to Wednesday, 12-09-2015. Melina Brill ProTem Judge - Author
19. 4-Dec-2015 FILED: Letter, 12/4/15, from Court to Stephanie Hansen re: refund of monies submitted in error
20. 9-Dec-2015 FILED: Plaintiff's/Appellant's Reply Brief; Certificate of Compliance; Certificate of Service
21. 5-Jul-2016 CLNDR: CONFERENCE, Department E (August), 8-30-16, COURTROOM 2.
22. 20-Jul-2016 FILED: Joint Motion for Oral Argument; Certificate of Service - Joint Motion for Oral Argument (Appellant)
23. 26-Jul-2016 FILED: Memorandum, 7/26/16, moving Conference from 8/30 to 8/25 (Judge Swann)
24. 9-Aug-2016 ORDERED: setting oral argument in this matter on 08/25/2016, at 10:15 a.m., before Department E. Hon Peter B Swann - Author
25. 25-Aug-2016 FILED: Sign-in Sheet/Case is Under Advisement as of 08/25/2016 (Dept E)
26. 3-Nov-2016 OPINION (Reversed, Remanded) Hon Peter B Swann - Author; Hon Jon W Thompson - Concur; Hon Donn Kessler - Concur
27. 3-Nov-2016 FILED: Opinion Distribution List
28. 23-Nov-2016 FILED: ASC Order filed 11/23/2016 re: extending time for filing Petition for Review to 12/30/2016
29. 30-Dec-2016 FILED: Email Notice from ASC re: Petition for Review filed 12/29/16; request for partial record
30. 30-Dec-2016 FILED: Letter forwarding partial record to Arizona Supreme Court