Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0450 HAYWARD v. AZ CENTRAL

Appellate Case Information

Case Filed: 9-Jul-2015

Case Closed:

Dept/Composition

Department C

Hon. Diane M Johnsen
Hon. Jon W Thompson
Hon. Paul J McMurdie

Side 1. JAMIE HAYWARD fka JAMIE CIFUENTES, Plaintiff/Appellant

(Litigant Group) JAMIE HAYWARD

- **Jamie Hayward**

Attorneys for: Plaintiff/Appellant

Veronika Fabian, Esq. (AZ Bar No. 18770)

Hyung S Choi, Esq. (AZ Bar No. 15669)

Side 2. ARIZONA CENTRAL CREDIT UNION, Defendant/Appellee

(Litigant Group) ARIZONA CENTRAL CREDIT UNION

- **Arizona Central Credit Union**

Attorneys for: Defendant/Appellee

Matthew G Kleiner, Esq. (AZ Bar No. 24275)

Side 3. DNA- PEOPLE'S LEGAL SERVICES, NATIONAL ASSOCIATION OF CONSUMER ADVOCATES, AND NATIONAL CONSUMER LAW ADOCATES, Amicus Curiae

(Litigant Group) DNA- PEOPLE'S LEGAL SERVICES, NATIONAL ASSOCIATION OF CONSUMER ADVOCATES, AND NATIONAL CONSUMER LAW ADOCATES

- **DNA People's Legal Services Inc**
- **National Association of Consumer Advocates**
- **National Consumer Law Advocates**

Attorneys for: Amicus Curiae

Andrea Goddard, Esq. (AZ Bar No. 31090)

CASE STATUS

Jan 31, 2017....Stayed (until 3/7/17)

Jan 10, 2017.....**Decision Rendered**

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2014-096164	Breach of Contract		David M Talamante, Authoring Judge of Order		

2 OPEN DUE DATES

Petition for Review to ASC due **Due By:** Thursday, February 9, 2017

Re: OPINION (Reversed, Remanded) Hon Diane M Johnsen - Author; Hon Jon W Thompson - Concur; Hon Paul J McMurdie - Concur

Misc Court Ordered Document due **Due By:** Monday, March 6, 2017

notice of settlement
*Re: * ORDERED: staying all further deadlines and proceedings in this matter through/including 03/06/2017.*
FURTHER ORDERED: if parties have not by 03/06/2017, filed a stipulation to dismiss appeal, they must apprise the court by that date of their progress tow

CASE DECISION

10-Jan-2017 OPINION

Diane Johnsen.....Author
Jon Thompson.....Concur
Paul McMurdie.....Concur

Filed: **10-Jan-2017** Mandate:

Decision Disposition

Reversed
Remanded

44 PROCEEDING ENTRIES

1.	9-Jul-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/10/15
2.	9-Jul-2015	FILED: e-Record on Appeal: Instruments/Minute Entries

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

44 PROCEEDING ENTRIES

3.	16-Jul-2015	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	29-Jul-2015	FILED: Case Management Statement; Notice of Appeal filed 6/10/15 (Appellant)
5.	3-Aug-2015	RECEIPT No.: 2015-01067 ; $280.00, Authorization: 15003715598, Applied to: JAMIE HAYWARD - Class A Filing Fee ($280.00) Paid for: Choi & Fabian PLC - By Integrated Resource Systems IN
6.	5-Aug-2015	FILED: Notice of Substitution of Attorney; Certificate of Service (Appellee)
7.	11-Aug-2015	RECEIPT No.: 2015-01109 ; $140.00, Authorization: #22018601206, Applied to: ARIZONA CENTRAL CREDIT UNION - Class B Filing Fee ($140.00) Paid for: Gordon & Rees LLP - By Integrated Resource Systems IN
8.	14-Sep-2015	FILED: Opening Brief of Plaintiff/Appellant Jamie Hayward; Certificate of Compliance; Certificate of Service
9.	14-Sep-2015	FILED: Certificate of Service (Re Opening Brief of Plaintiff/Appellant Jamie Hayward)
10.	2-Nov-2015	FILED: Defendant/Appellee Arizona Central Credit Union's Answering Brief; Defendant/Appellee Arizona Central Credit Union's - Certificate of Compliance; Certificate of Service of Answering Brief and Appendix (Appellee)
11.	2-Nov-2015	FILED: Defendant/Appellee Arizona Central Credit Union's Appendix of Legal Authority (Appellee)
12.	13-Nov-2015	FILED: Stipulation for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
13.	16-Nov-2015	ORDERED: Stipulation for Extension of Time to File Reply Brief; Certificate of Service (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-30-2015 to Friday, 12-11-2015. Melina Brill ProTem Judge - Author
14.	11-Dec-2015	FILED: Reply Brief of Plaintiff/Appellant Jamie Hayward; Certificate of Compliance; Certificate of Service
15.	11-Dec-2015	FILED: Plaintiff/Appellant Jamie Hayward's Appendix of Legal Authority
16.	21-Dec-2015	FILED: Defendant/Appellee Arizona Central Credit Union's Request for Oral Argument; Certificate of Service of Request for Oral Argument (Appellee)
17.	24-Dec-2015	FILED: Courtesy copy of Defendant/Appellee Arizona Central Credit Union's Request for Oral Argument
18.	29-Dec-2015	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
19.	29-Dec-2015	FILED: Motion for Leave to File Amici Curiae; Certificate of Service (Amicus Curiae)
20.	29-Dec-2015	FILED: Brief of Amici Curiae DNA-People's Legal Services, National Association of Consumer Advocates, and National Consumer Law Advocates; Certificate of Compliance; Certificate of Service (Amicus Curiae)
21.	29-Dec-2015	FILED: Amici Curiae's Appendix of Legal Authority (Amicus Curiae)
22.	7-Jan-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
23.	12-Jan-2016	ORDERED: Defendant/Appellee Arizona Central Credit Union's Request for Oral Argument (Appellee) = GRANTED. Hon Michael J Brown - Author
24.	26-Jan-2016	ORDERED: Motion for Leave to File Amici Curiae (Amicus Curiae) = GRANTED and accepting for filing Amici Curiae Brief of DNA-People's Legal Services, National Association of Consumer Advocates, and National Consumer Law Advocates lodged on 12/29/16. FURTHER ORDERED: Any party may file a response to brief w/in 20 days of date of this order. Hon Michael J Brown - Author
25.	11-Feb-2016	FILED: Stipulated Motion for Procedural Order Requesting Extension of Time for Defendant/Appellee Arizona Central Credit Union's to Respond to the Amici Curiae Brief; Certificate of Service on Stipulated Motion for Procedural Order Requesting Extension of Time (Appellee)
26.	16-Feb-2016	FILED: Courtesy Copy of Stipulated Motion for Procedural Order Requesting Extension of Time for Defendant/Appellee Arizona Central Credit Union's to Respond to the Amici Curiae Brief (Appellee)
27.	16-Feb-2016	ORDERED: FILED: Stipulated Motion for Procedural Order Requesting Extension of Time for Defendant/Appellee Arizona Central Credit Union's to Respond to the Amici Curiae Brief; (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 02-16-2016 to Tuesday, 03-08-2016. Barbara Vidal Vaught ProTem Judge - Author

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44 PROCEEDING ENTRIES

28.	8-Mar-2016	FILED: Defendant/Appellee Arizona Central Credit Union's Response to Amici Curiae Brief of DNA-People's Legal Services, National Association of Consumer Advocates, and National Consumer Law Center; Defendant/Appellee Arizona Central Credit Union's Certificate of Compliance of Response to Amici Curiae Brief of DNA-People's Legal Services, National Association of Consumer Advocates, and National Consumer Law Center; Defendant/Appellee Arizona Central Credit Union's Certificate of Service of Response to Amici Curiae Brief of DNA-People's Legal Services, National Association of Consumer Advocates, and National Consumer Law Center
29.	17-May-2016	FILED: Notice of Unavailability of Counsel; Certificate of Service on Notice of Unavailability of Counsel (Appellee)
30.	7-Jul-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 9-14-16, 09:30 am, COURTROOM 1.
31.	8-Aug-2016	FILED: Notice of Oral Argument
32.	19-Aug-2016	FILED: Motion to Continue Oral Argument; Certificate of Service on Motion (Appellee)
33.	22-Aug-2016	ORDERED: vacating oral argument set for 09/14/2016 at 9:30 am. FURTHER ORDERED: resetting oral argument in this matter on 12/07/2016 at 10:15 am. The court will inform parties of assigned courtroom in due course. Hon Diane M Johnsen - Author
34.	26-Oct-2016	ORDERED: resetting oral argument in this matter to 11:00 a.m. on Wednesday, 12/7/2016. The court will inform the parties of the assigned courtroom in due course. Hon Diane M Johnsen - Author
35.	28-Oct-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 12-7-16, 11:00 am, COURTROOM 1.
36.	28-Oct-2016	FILED: Memorandum: Judge McMurdie for Judge Brown (Chief Judge Brown)
37.	9-Nov-2016	FILED: Notice of Oral Argument
38.	14-Nov-2016	FILED: Receipt for Notice of Oral Argument, signed by Hyung Choi on 11/14/2016 (Appellant)
39.	14-Nov-2016	FILED: Receipt for Notice of Oral Argument, signed by Matthew G Kleiner on 11/09/2016; Certificate of Service (Appellee)
40.	7-Dec-2016	FILED: Sign-in Sheet/Case is Under Advisement as of 12/07/2016 (Dept C)
41.	10-Jan-2017	OPINION (Reversed, Remanded) Hon Diane M Johnsen - Author; Hon Jon W Thompson - Concur; Hon Paul J McMurdie - Concu
42.	10-Jan-2017	FILED: Opinion Distribution List
43.	25-Jan-2017	FILED: Joint Notice of Settlement and Request to Stay Proceedings; Certification of Service (Appellant)
44.	31-Jan-2017	ORDERED: staying all further deadlines and proceedings in this matter through/including 03/06/2017. FURTHER ORDERED: if parties have not by 03/06/2017, filed a stipulation to dismiss appeal, they must apprise the court by that date of their progress toward settlement. Hon Diane M Johnsen - Author

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