

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0547

HERITAGE v. WEINBERG

<p>Appellate Case Information</p> <p>Case Filed: 20-Aug-2015</p> <p>Case Closed:</p>	<p>Dept/Composition</p>
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Side 1. HERITAGE VILLAGE II HOMEOWNERS' ASSOCIATION, an Arizona non-profit corporation, Plaintiff/Appellee
(Litigant Group) HERITAGE VILLAGE II HOMEOWNERS ASSOCIATION

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| <ul style="list-style-type: none"> Heritage Village II Homeowners Association | <p>Attorneys for: Plaintiff/Appellee</p> <p>Shelton L Freeman, Esq. (AZ Bar No. 9687)</p> <p>B Kathleen Gilbertson, Esq. (AZ Bar No. 16927)</p> |
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Side 2. RICHARD WEINBERG and LAINE WEINBERG, husband and wife, Defendant/Appellant
(Litigant Group) RICHARD WEINBERG et al.

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| <ul style="list-style-type: none"> Richard Weinberg Laine Weinberg | <p>Attorneys for: Defendant/Appellant</p> <p>Taylor C Young, Esq. (AZ Bar No. 20743)</p> <p>Ellen B Davis, Esq. (AZ Bar No. 13806)</p> |
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CASE STATUS

Jun 20, 2016....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2014-009229	Declaratory Relief; Breach of Contract; Breach of Covenant of Good Faith		J Richard Gama, Authoring Judge of Order		

38 PROCEEDING ENTRIES

- 20-Aug-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 07/23/15
- 20-Aug-2015 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits - not sent at this time
- 26-Aug-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
- 10-Sep-2015 FILED: Notice of Payment of Appellants' Filing Fee; Certificate of Service
- 15-Sep-2015 RECEIPT No.: 2015-01285 ; \$280.00, Authorization: 57023197388, Applied to: RICHARD WEINBERG et al. - Class A Filing Fee (\$280.00) Paid for: Mandel Young PLC - By Integrated Resource Systems IN
- 18-Sep-2015 FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due
- 22-Sep-2015 FILED: Case Management Statement (Appellant)
- 22-Sep-2015 FILED: Notice of Filing and Serving Transcripts; Certificate of Service (Appellant)
- 22-Sep-2015 FILED: Reporter's Transcript of Proceedings 7/14/14 (Norma L Catoe) (Appellant)
- 22-Sep-2015 FILED: Reporter's Transcript of Proceedings 10/8/14 (Sandra J Worrell) (Appellant)
- 22-Sep-2015 FILED: Reporter's Transcript of Proceedings 11/5/14 (Linda Gundelach) (Appellant)
- 22-Sep-2015 FILED: Reporter's Transcript of Proceedings 11/6/14 (Linda Gundelach) (Appellant)
- 24-Sep-2015 RECEIPT No.: 2015-01332 ; \$140.00, Check Number: #174, Applied to: HERITAGE VILLAGE II HOMEOWNERS ASSOCIATION - Class B Filing Fee (\$140.00) Paid for: - By Freeman Huber Law PLLC
- 16-Oct-2015 FILED: Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
- 19-Oct-2015 ORDERED: Unopposed Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 10-26-2015 to Thursday, 12-10-2015. Melina Brill ProTem Judge - Author
- 8-Dec-2015 FILED: Motion to Dismiss Appeal As Premature; Certificate of Service; Exhibit A (Appellant)

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38 PROCEEDING ENTRIES

17. 8-Dec-2015 FILED: Motion for a Procedural Order Extending or Staying Briefing Schedule Pending Resolution of Jurisdictional Motion; Certificate of Service (Appellant)
18. 9-Dec-2015 ORDERED: Motion for a Procedural Order Extending or Staying Briefing Schedule Pending Resolution of Jurisdictional Motion (Appellant) = GRANTED. FURTHER ORDERED: Vacating 12/10/15 due date for opening brief. Order ruling on pending motion to dismiss will set due date for filing opening brief, if motion to dismiss is denied. Melina Brill ProTem Judge - Author
19. 28-Dec-2015 FILED: Response to Motion to Dismiss Appeal as Premature; Certificate of Service (Appellee)
20. 7-Jan-2016 FILED: Defendants/Appellants' Reply in Support of Their Motion to Dismiss Appeal as Premature; Certificate of Service (Appellant)
21. 15-Jan-2016 ORDERED: Motion to Dismiss Appeal As Premature (Appellant) = DENIED without prejudice to court to reconsider motion when it addresses merits of appeal. FURTHER ORDERED: Opening brief shall be filed on/before 2/19/16. Hon Patricia A Orozco - Author
22. 19-Feb-2016 FILED: Request for Oral Argument; Certificate of Service (Appellant)
23. 19-Feb-2016 FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
24. 19-Feb-2016 FILED: Appendix to Opening Brief (Appellant)
25. 24-Feb-2016 FILED: Notice of Errata; Certificate of Service (Appellant)
26. 24-Feb-2016 FILED: Corrected Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
27. 22-Mar-2016 FILED: Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
28. 23-Mar-2016 ORDERED: Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED in part. Due date EXTENDED from Monday, 04-04-2016 to Wednesday, 05-04-2016. Barbara Vidal Vaught ProTem Judge - Author
29. 4-May-2016 FILED: Answering Brief of Plaintiff/Appellee Heritage Village II Homeowners Association; Certificate of Compliance; Certificate of Service
30. 4-May-2016 FILED: Appendix-Volume II (Appellee)
31. 27-May-2016 FILED: Procedural Motion for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
32. 31-May-2016 ORDERED: Procedural Motion for Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 05-31-2016 to Monday, 06-20-2016. Melina Brill ProTem Judge - Author
33. 17-Jun-2016 FILED: Notice of Change of Law Firm Address and Phone Numbers; Certificate of Service (Appellant)
34. 20-Jun-2016 FILED: Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
35. 28-Jun-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
36. 8-Jul-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
37. 8-Jul-2016 FILED: Additional Record on Appeal:
Exhibits: HD 10/08/14 - LIST # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35
36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76
77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 95 96 97 98 99 101 102 103 106 107 108 109 110 111 113 114 115 116 117
118 119 120 121 122 123 124 126 127 128 129 130 131 132 133 134 135 136 137 139 140 141 142 143 144 145 146 147 148
149 150 151 152 153 154 155 156 in a Box
38. 12-Jul-2016 ORDERED: Request for Oral Argument; Certificate of Service (Appellant) = GRANTED. Hon Michael J Brown - Author