Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0550 STATE v. 6635 N 19TH AVE

Appellate Case Information

Case Filed: 20-Aug-2015

Case Closed:

Dept/Composition

Department E

Hon. Kent E Cattani
Hon. Lawrence F Winthrop
Hon. Maurice Portley

Side 1. STATE OF ARIZONA ex rel. MARK BRNOVICH, Attorney General, Petitioner/Appellee

(Litigant Group) STATE OF ARIZONA

- **State of Arizona**

Attorneys for: Petitioner/Appellee

Alyse Meislik, Esq. (AZ Bar No. 24052)

Evan G Daniels, Esq. (AZ Bar No. 30624)

Oramel H Skinner, Esq. (AZ Bar No. 32891)

Side 2. 6635 N. 19TH AVENUE, INC., an Arizona corporation, Respondent/Appellant

(Litigant Group) 6635 N 19TH AVENUE INC

- **6635 N 19th Avenue Inc**

Attorneys for: Respondent/Appellant

Gregory G McGill, Esq. (AZ Bar No. 11020)

CASE STATUS

Jan 4, 2017.....Motion for Reconsideration Pending

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2015-000074	Petition for Enforcement of a Civil Investigative Demand and for an Order to Show Cause		Lori Horn Bustamante, Authoring Judge of Order		

2 PENDING MATTERS

General Motion Filed: 23-Dec-2016

State of Arizona's Application for Award of Attorneys' Fees (Appellee)

General Motion Filed: 4-Jan-2017

Motion for Reconsideration (Appellant)

CASE DECISION

20-Dec-2016 MEMORANDUM DECISION

Maurice Portley.....Author

Kent Cattani.....Concur

Lawrence Winthrop.....Concur

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

Decision Disposition
Affirmed

39 PROCEEDING ENTRIES

1.	20-Aug-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 07/23/15
2.	20-Aug-2015	FILED:e- Record on Appeal: Instruments/Minute Entries Exhibits - not sent at this time
3.	27-Aug-2015	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	10-Sep-2015	FILED: Notice Of Appearance And Payment Of Appellant's $280 Filing Fee; Certificate of Service (Appellant)
5.	15-Sep-2015	FILED: Notice Of Transcript Order; Certificate of Service (Appellant)
6.	15-Sep-2015	FILED: Notice of Filing Case Management Statement; Certificate of Service (Appellant)

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39 PROCEEDING ENTRIES

7.	16-Sep-2015	RECEIPT No.: 2015-01293 ; $280.00, Authorization: #58014411195, Applied to: 6635 N 19TH AVENUE INC - Class A Filing Fee ($280.00) Paid for: McGill Law Firm - By Integrated Resource Systems IN
8.	21-Sep-2015	FILED: Appellee's Notice re: No Appellee's Fee Due/Appellant's Brief Due
9.	19-Oct-2015	FILED: Motion for Procedural Order Granting Extension for Opening Brief; Certificate of Service; Exhibit A; Declaration of Greg Mcgill in Support of Motion for Procedural Order re Extension re Oprning Brief (Appellant)
10.	20-Oct-2015	ORDERED: Motion for Procedural Order Granting Extension for Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 10-26-2015 to Wednesday, 11-25-2015. Melina Brill ProTem Judge - Author
11.	19-Nov-2015	FILED: Reporter's Transcript - 04/09/2015 - Evidentiary Hearing (Amy Weaver)
12.	25-Nov-2015	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service; Appendix to Opening Brief (Appellant)
13.	9-Dec-2015	ORDERED: staying this appeal to/including 1/25/16 and revesting jurisdiction in Maricopa Superior Court to consider application by appellant for a signed judgment w/ certification of finality pursuant to Rule 54(c). FURTHER ORDERED: If superior court grants application, appellant shall file a copy of signed judgment w/in 10 days after its entry. Appeal will be automatically reinstated. FURTHER ORDERED: If appeal has not been reinstated, appellant shall file a request to continue stay of appeal or appeal may be dismissed. FURTHER ORDERED: If a signed judgment has been filed, answering brief shall be due on 2/24/16. Melina Brill ProTem Judge - Author
14.	17-Dec-2015	FILED: Motion for Reconsideration of Order Re: Staying Appeal; Certificate of Compliance; Certificate of Service; Exhibits A & B (Appellee)
15.	21-Dec-2015	ORDERED: requesting appellant file a response to motion for reconsideration on/before 1/11/16. Appellee may file a reply on/before 1/22/16. After receiving response/reply, court will issue a decision on motion for reconsideration. Melina Brill ProTem Judge - Author
16.	11-Jan-2016	FILED: Response to Motion for Reconsideration of Order Staying Appeal; Order to File a Response; Certificate of Service (Appellant)
17.	22-Jan-2016	FILED: Reply in Support of Motion for Reconsideration of Order re Staying Appeal; Certificate of Compliance; Certificate of Service (Appellee)
18.	26-Jan-2016	ORDERED: Motion for Reconsideration of Order Re: Staying Appeal (Appellee) = GRANTED and vacating this court's 12/9/15 order staying this appeal to permit appellant to apply to superior court for a signed judgment containing a certification of finality pursuant to ARCAP 54(c). FURTHER ORDERED: Answering brief shall be filed on/before 2/26/16. Hon Patricia A Orozco - Author
19.	26-Feb-2016	FILED: State's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
20.	10-Mar-2016	FILED: Notice of Errata re: Certificate of Service; Certificate of Service; Exhibit (Appellee)
21.	18-Mar-2016	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service
22.	28-Mar-2016	FILED: Request for Oral Argument; Certificate of Service (Appellee)
23.	28-Mar-2016	FILED: Notice of Removal of Attorney from Matter; Certificate of Service (Appellee)
24.	30-Mar-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
25.	8-Apr-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
26.	8-Apr-2016	FILED: Additional Record on Appeal: HD 4/9/15 - List and # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 in a box.
27.	12-Apr-2016	ORDERED: Request for Oral Argument (Appellee) = GRANTED. Hon Michael J Brown - Author
28.	26-Sep-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 11-21-16, 02:15 pm, COURTROOM 2.
29.	6-Oct-2016	FILED: Notice of Oral Argument
30.	13-Oct-2016	FILED: Receipt for Notice of Oral Argument, signed by Gregory G McGill on 10/06/2016; Certificate of Service (Appellant)

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31.	21-Oct-2016	FILED: Notice of Filing Return Receipt re: Oral Argument; Certificate of Service; Receipt for Notice of Oral Argument, signed by Alyse Meislik on 10/06/2016 (Appellee)
32.	25-Oct-2016	FILED: Notice of Appearance and Substitution of Arguing Attorney; Certificate of Service (Appellee)
33.	21-Nov-2016	FILED: Sign-in Sheet/Case is Under Advisement as of 11/21/2016 (Dept E)
34.	20-Dec-2016	MEMORANDUM DECISION (Affirmed) Hon Maurice Portley - Author; Hon Kent E Cattani - Concur; Hon Lawrence F Winthrop - Concur
35.	20-Dec-2016	FILED: Memorandum Decision Distribution List
36.	23-Dec-2016	FILED: State of Arizona's Application for Award of Attorneys' Fees; Certificate of Service; Affidavit in Support of Application for Award of Attorneys' Fees; Exhibit A to Affidavit in Support of Application for Award of Attorneys' Fees (Appellee)
37.	4-Jan-2017	FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Service (Appellant)
38.	9-Jan-2017	FILED: Response to States Application for Award of Attorneys Fees; Certificate of Service; EXHIBITS 1-8 (Appellant)
39.	23-Jan-2017	FILED: Reply in Support of State of Arizonas Application for Award of Attorneys Fees; Certificate of Service (Appellee)

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