

Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0606

AMERICAN LEGION et al. v. AZ GAMING

Appellate Case Information

Case Filed: 11-Sep-2015
Case Closed:

Dept/Composition

Department D
Hon. Andrew W Gould
Hon. Peter B Swann
Hon. Patricia A Orozco

Side 1. AMERICAN LEGION POST 62; AMERICAN LEGION POST 105; VETERANS OF FOREIGN WARS POST 1433; AMERICAN LEGION POST 1; VETERANS OF FOREIGN WARS POST 1796, Plaintiff/Appellant
(Litigant Group) AMERICAN LEGION POST 62

- American Legion Post 62
American Legion Post 105
Veterans of Foreign Wars Post 1433
American Legion Post 1
Veterans of Foreign Wars Post 1796

Co-Counsel for: Plaintiffs/Appellants
Charley L Laman, Esq. (AZ Bar No. 24265)
Brian A Hatch, Esq. (AZ Bar No. 13864)

Side 2. ARIZONA DEPARTMENT OF GAMING, Defendant/Appellee
(Litigant Group) ARIZONA DEPARTMENT OF GAMING

- Arizona Department of Gaming

Attorneys for: Defendant/Appellee
Deanie J Reh, Esq. (AZ Bar No. 5170)

CASE STATUS

Jan 3, 2017.....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2015-006992, Declaratory Judgment, Patricia A Starr, Authoring Judge of Order.

DESCENDENT CASE(S)

ASC CV-16-0307-PR

CASE DECISION

25-Oct-2016 MEMORANDUM DECISION

Andrew Gould.....Author
Peter Swann.....Concur
Patricia Orozco.....Concur

Filed: 25-Oct-2016 Mandate:

Decision Disposition

Affirmed

30 PROCEEDING ENTRIES

- 1. 11-Sep-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 08/14/15
2. 11-Sep-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 17-Sep-2015 FILED: Notice to Parties re: Appellants' Fee/Case Management Statement/Brief Due
4. 21-Sep-2015 RECEIPT No.: 2015-01318 ; \$280.00, Check Number: #1114, Applied to: AMERICAN LEGION POST 62 - Class A Filing Fee (\$280.00) Paid for: - By Laman Law Office PLLC
5. 29-Sep-2015 FILED: Appellee's Notice re: No Appellee's Fee Due/Appellant's Brief Due
6. 7-Oct-2015 FILED: Case Management Statement (Appellant)
7. 7-Oct-2015 FILED: Notice of Association of Co-Counsel; Certificate of Service (Appellant)
8. 7-Oct-2015 FILED: Reporter's Transcript of Proceedings 6/22/15 (Marguerite Leverenz) (Appellant)

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9. 8-Oct-2015 ORDERED: (Court has reviewed record to determine whether it has jurisdiction over this appeal) staying this appeal to/including 11/23/15, and revesting jurisdiction in Maricopa Superior Court to consider application by appellants for signed order w/ certification of finality pursuant to Rule 54(c). FURTHER ORDERED: If superior court grants application, appellants shall file a copy of signed order w/in 10 days after its entry. Appeal will be automatically reinstated. FURTHER ORDERED: If appeal has not been reinstated, appellants shall file a request to continue stay of appeal or appeal may be dismissed. FURTHER ORDERED: If signed order has been filed, opening brief shall be due on 12/23/15. Melina Brill ProTem Judge - Author
10. 18-Nov-2015 FILED: Courtesy Copy: Order of Dismissal; Certificate of Service (Appellant)
11. 19-Nov-2015 FILED: Notice of Filing Superior Court 11/13/15 Dismissal Order; Order of Dismissal (Appellant)
12. 19-Nov-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record [includes signed order filed 11/13/15 w/ Rule 54(c) language]
13. 23-Dec-2015 FILED: Opening Brief of Plaintiffs/Appellants; Certificate of Compliance; Certificate of Service of Opening Brief
14. 8-Feb-2016 FILED: Defendant-Appellee Arizona Department of Gaming's Answering Brief; Certificate of Compliance; Certificate of Service of Defendant-Appellee Arizona Department of Gaming's Answering Brief
15. 2-Mar-2016 FILED: Motion for Procedural Order - To Extend Time for Filing of Appellants' Reply Brief; Certificate of Service (Appellant)
16. 3-Mar-2016 ORDERED: Motion for Procedural Order - To Extend Time for Filing of Appellants' Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 03-07-2016 to Friday, 03-11-2016. Barbara Vidal Vaught ProTem Judge - Author
17. 11-Mar-2016 FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service of Reply Brief (Appellant)
18. 29-Mar-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
19. 4-Apr-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
20. 29-Aug-2016 CLNDR: CONFERENCE, Department D, 10-12-16, COURTROOM 2.
21. 25-Oct-2016 MEMORANDUM DECISION (Affirmed) Hon Andrew W Gould - Author; Hon Peter B Swann - Concur; Hon Patricia A Orozco - Concur
22. 25-Oct-2016 FILED: Memorandum Decision Distribution List
23. 9-Nov-2016 FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Service; Affidavit of Earl J. Barnaby (Appellant)
24. 14-Nov-2016 ORDERED: Defendant/Appellee shall file a Response to Plaintiffs/Appellants' Motion for Reconsideration with this court on/before 11/29/2016. The response shall be no longer than 10 pages in length. There shall be no reply. Hon Andrew W Gould - Author
25. 18-Nov-2016 FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee)
26. 29-Nov-2016 FILED: Response to Motion for Reconsideration; Permission by Order; Certificate of Service; Certificate of Compliance (Appellee)
27. 1-Dec-2016 ORDERED: Motion for Reconsideration (Appellant) = DENIED. Hon Andrew W Gould - Author
28. 16-Dec-2016 FILED: ASC Order filed 12/16/2016 re: extending time for filing Petition for Review to 12/30/2016
29. 3-Jan-2017 FILED: Email Notice from ASC re: Petition for Review filed 12/30/16; request for partial record
30. 3-Jan-2017 FILED: Letter forwarding partial record to Arizona Supreme Court