

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 15-0664**

**FOUNDING FATHERS v. ASBCS**

**Appellate Case Information**

Case Filed: 7-Oct-2015  
Case Closed: 12-Jan-2017

**Decision**

**Dept/Composition**

**Department B**  
Hon. Patricia K Norris  
Hon. Samuel A Thumma  
Hon. Margaret H Downie

**Side 1. FOUNDING FATHERS ACADEMIES, INC., a non-profit corporation, in the operation of JEFFERSON ACADEMY OF ADVANCED LEARNING, a charter school, Appellant**

**(Litigant Group) FOUNDING FATHERS ACADEMIES INC**

● Founding Fathers Academies Inc

**Attorneys for: Appellant**

Leonidas G Condos, Esq. (AZ Bar No. 16153)

**Side 2. ARIZONA STATE BOARD FOR CHARTER SCHOOLS, Appellee**

**(Litigant Group) ARIZONA STATE BOARD FOR CHARTER SCHOOLS**

● Arizona State Board for Charter Schools

**Attorneys for: Appellee**

Kim S Anderson, Esq. (AZ Bar No. 10584)

**CASE STATUS**

Jan 12, 2017....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR LC2014-000375-001	Judicial Review of Administrative Decision		Crane McClennen, Authoring Judge of Order		

**DESCENDENT CASE(S)**

ASC CV-16-0272-PR

**CASE DECISION**

**13-Oct-2016 MEMORANDUM DECISION**

Margaret Downie.....Author  
Patricia Norris.....Concur  
Samuel Thumma.....Concur

Filed: **13-Oct-2016** Mandate: **12-Jan-2017**

Decision Disposition

**Affirmed**

**48 PROCEEDING ENTRIES**

- 7-Oct-2015 FILED: Motion for Stay of Arizona State Board for Charter Schools' Revocation of Charter Contract; Notice of Appeal; Certificate of Service (Appellant)
- 7-Oct-2015 FILED: Courtesy Copy - Notice of Appeal dated 10/6/15; Certificate of Service (Appellant)
- 13-Oct-2015 RECEIPT No.: 2015-01421 ; \$280.00, Authorization: 86010761517, Applied to: FOUNDING FATHERS ACADEMIES INC - Class A Filing Fee (\$280.00) Paid for: Condos & McDade LLC - By Integrated Resource Systems IN
- 26-Oct-2015 FILED: Respondent/Appellee's Response in Opposition to Motion for Stay; Certificate of Service (Appellee)
- 3-Nov-2015 FILED: Reply to Appellee's Response in Opposition to Motion for Stay; Certificate of Service (Appellant)
- 5-Nov-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
- 5-Nov-2015 FILED: Index of Record, Notice of Appeal filed in Maricopa County Superior Court on 10/7/15
- 13-Nov-2015 ORDERED: Motion for Stay of Arizona State Board for Charter Schools' Revocation of Charter Contract (Appellant) = GRANTED. Staying 7/15/14 order of Arizona State Board for Charter Schools revoking charter between Board and Founding Fathers Academies, Inc., pending further order of this court. Hon Randall M Howe - Author
- 24-Nov-2015 FILED: Stipulated Motion to Correct the Record and for Exception to the Electronic Filing Requirement; Certificate of Service (Appellee)

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 15-0664****FOUNDING FATHERS v. ASBCS****48 PROCEEDING ENTRIES**

10. 24-Nov-2015 FILED: Stipulated Motion to Correct the Record and for Exception to the Electronic Filing Requirement (Hard Copy with attachments) (Appellee)
11. 25-Nov-2015 ORDERED: Stipulated Motion to Correct the Record and for Exception to the Electronic Filing Requirement (Appellee) = GRANTED/accepting paper documents filed as attachment to stipulated motion on 11/24/15 as supplement to record on appeal. Barbara Vidal Vaught ProTem Judge - Author
12. 9-Dec-2015 FILED: Notice to Parties re: Appellant's Fee Paid/No Appellee's Fee/Appellant's Case Management Statement/Brief Due
13. 29-Dec-2015 FILED: Case Management Statement (Appellant)
14. 1-Feb-2016 FILED: Motion for Enlargement of Time to File Appellant's Brief (Opening); Certificate of Service (Appellant)
15. 2-Feb-2016 FILED: Appellee's Response to Motion for Enlargement of Time to File Appellant's Brief; Certificate of Service (Appellee)
16. 2-Feb-2016 ORDERED: Motion for Enlargement of Time to File Appellant's Brief (Opening) (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-08-2016 to Monday, 02-22-2016. Barbara Vidal Vaught ProTem Judge - Author
17. 23-Feb-2016 FILED: Appellant's Opening Brief; Certificate of Compliance for Appellant's Opening Brief; Certificate of Service for Appellant's Opening Brief; Appendix for Appellant's Opening Brief (STRICKEN per order filed 07/27/2016)
18. 7-Apr-2016 FILED: Appellee Arizona State Board for Charter Schools' Answering Brief; Certificate of Compliance for Appellee's Answering Brief; Certificate of Service for Appellee's Answering Brief
19. 28-Apr-2016 FILED: Appellants Request for Motion for Extension of Time to File Response/Reply Brief; Certificate of Service (Appellant)
20. 2-May-2016 ORDERED: Appellants Request for Motion for Extension of Time to File Response/Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-02-2016 to Monday, 05-09-2016. Melina Brill ProTem Judge - Author
21. 9-May-2016 FILED: Appellant Founding Fathers Academies, Inc., Reply Brief (Part 1); Cert of Compliance; Certificate of Service; Appellant Founding Fathers Academies, Inc., Reply Brief (Part 2) (Appellant)
22. 10-May-2016 FILED: Appellee's Motion to Accelerate Disposition of Appeal; Certificate of Service (Appellee)
23. 17-May-2016 FILED: Appellants Opposition to Accelerate Disposition of Appeal; Cert of Service (Appellant)
24. 18-May-2016 FILED: Request for Oral Argument; Cert of Service (Appellant)
25. 20-May-2016 FILED: Appellee's Motion to Strike New Arguments Presented in Reply Brief; Certificate of Service (Appellee)
26. 31-May-2016 FILED: Appellee's Response to Opposition to Motion to Accelerate Disposition of Appeal; Certificate of Service (Appellee)
27. 6-Jun-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
28. 7-Jun-2016 ORDERED: Appellee's Motion to Accelerate Disposition of Appeal (Appellee) = DENIED. FURTHER ORDERED: Directing clerk of this court to schedule appeal for consideration on first available date on court's regular calendar. FURTHER ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Michael J Brown - Author
29. 13-Jun-2016 FILED: Response in Opposition to Appellee's Motion to Strike New Arguments Presented in Reply Briefs; Certificate of Service in Opposition to Appellee's Motion to Strike New Arguments Presented in Reply Brief (Appellant)
30. 16-Jun-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
31. 20-Jun-2016 FILED: Appellee's Reply to Response in Opposition to Motion to Strike New Arguments Presented in Reply Brief; Certificate of Service for Appellee's Reply to Response in Opposition to Motion to Strike New Arguments Presented in Reply Brief (Appellee)
32. 27-Jun-2016 FILED: Appellants Response to Appellee's Reply to Appellants Opposition Motion to Strike New Arguments Presented in Reply Brief; Certificate of Service in Appellants Response to Appellee's Reply to Appellants Opposition Motion to Strike New Arguments Presented in Reply Brief (Appellant)
33. 28-Jun-2016 ORDERED: deferring a ruling on motion to strike, to panel that considers this appeal on merits. Melina Brill ProTem Judge - Author

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 15-0664**

**FOUNDING FATHERS v. ASBCS**

**48 PROCEEDING ENTRIES**

34. 27-Jul-2016 ORDERED: striking opening brief filed on 02/22/2016. FURTHER ORDERED: granting appellant to/including 08/16/2016 to file a brief that complies with Arizona Rules of Civil Appellate Procedure. Hon Patricia K Norris - Author
35. 16-Aug-2016 FILED: Appellant Founding Fathers Academies Inc. Amended Opening Brief (First Half - Pages 1 thru 22); Certificate of Compliance; Certificate of Service; (Appellant Founding Fathers Academies Inc. Amended Opening Brief - Second Half - Pages 23 thru 38)
36. 29-Aug-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department B, 10-4-16, 09:30 am, COURTROOM 1.
37. 31-Aug-2016 FILED: Notice of Oral Argument
38. 31-Aug-2016 FILED: Receipt for Notice of Oral Argument, signed by Kim S Anderson on 08/31/2016 (Appellee)
39. 31-Aug-2016 FILED: Appellant's Notice of Errata; Certificate of Service for Appellant's Notice of Errata (Appellant)
40. 31-Aug-2016 FILED: Receipt for Notice of Oral Argument, signed by Leonidas G Condos on 08/31/2016 (Appellant)
41. 4-Oct-2016 FILED: Sign-in Sheet/Case is Under Advisement as of 10/04/2016 (Dept B)
42. 13-Oct-2016 ORDERED: stay of Board's revocation decision is dissolved effective 5:00 p.m. on 10/24/2016. This Court will not grant any further extensions of stay or entertain further motion practice regarding stay. Hon Margaret H Downie - Author
43. 13-Oct-2016 MEMORANDUM DECISION (Affirmed) Hon Margaret H Downie - Author; Hon Patricia K Norris - Concur; Hon Samuel A Thumma - Concur
44. 13-Oct-2016 FILED: Memorandum Decision Distribution List
45. 15-Nov-2016 FILED: Email Notice from ASC re: Petition for Review filed 11/14/16; request for partial record
46. 15-Nov-2016 FILED: Letter forwarding partial record to Arizona Supreme Court
47. 3-Jan-2017 FILED: ASC Order filed 01/03/2017 re: dismissing Petition for Review filed 11/14/2016
48. 12-Jan-2017 FILED: Mandate, No record returned to superior court.