Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0786 AMBERWOOD et al. v. SWANNS

Appellate Case Information

Case Filed: 25-Nov-2015

Case Closed:

Dept/Composition

Department B

Hon. Randall M Howe
Hon. Lawrence F Winthrop
Hon. Jon W Thompson

Side 1. AMBERWOOD DEVELOPMENT, INC., an Arizona corporation doing business as Amberwood Homes; WINSTON CASA, LLC, an Arizona corporation; SUMMERSET MARKETING ENTERPRISES, INC., an Arizona corporation doing business as Amberwood Homes,

Third Party, Plaintiff/Appellee-Cross Appellant

(Litigant Group) AMBERWOOD DEVELOPMENT et al.

- **Amberwood Development Inc**
- **Winston Casas LLC**
- **Summerset Marketing Enterprises Inc**

Attorneys: Plaintiffs/Appellees/Cross-Appellants

Jennifer E Mullen, Esq. (AZ Bar No. 29620)

Barrett N Lindsey, Esq. (AZ Bar No. 28311)

Side 2. SWANN'S GRADING, INC., an Arizona corporation,

Third Party, Defendant/Appellant-Cross Appellee

(Litigant Group) SWANNS GRADING INC

- **Swanns Grading Inc**

Attorneys for: Defendant/Appellant/Cross-Appellee

Lynn M Allen, Esq. (AZ Bar No. 12612)

CASE STATUS

Dec 30, 2016....Assigned

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2008-012745	Breach of Implied Warranty of Workmanship and Habitability; Breach of Express Warranty and Breach of Contract		Randall H Warner, Authoring Judge of Order		

CALENDAR

Tuesday	MONTHLY COURT CASE CALENDAR
7-Feb-2017	**Department B; COURTROOM 2**
	10:45 AM

34 PROCEEDING ENTRIES

1.	25-Nov-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/29/15; Notice of Cross Appeal from Maricopa County Superior Court filed 11/18/15
2.	25-Nov-2015	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits - not sent at this time
3.	4-Dec-2015	FILED: Notice to Parties re: Appellant/Cross-Appellee's Fee/Case Management Statement/Brief Due
4.	11-Dec-2015	FILED: Third Party Plaintiffs/Appellees/Cross-Appellants' Notice of Payment of Appeal Filing Fee; Third Party Plaintiffs/Appellees/Cross-Appellants' Notice of Payment of Appeal Filing Fee (duplicate copy)
5.	14-Dec-2015	RECEIPT No.: 2015-01713 ; $280.00, Check Number: #1017, Applied to: SWANNS GRADING INC - Class A Filing Fee ($280.00) Paid for: - By Tyson & Mendes LLP
6.	15-Dec-2015	FILED: Appellee/Cross Appellant's Notice Re: Balance of Cross Appellant's Fee Due and Case Management Statement Due/Appellant's Brief Due
7.	17-Dec-2015	RECEIPT No.: 2015-01736 ; $280.00, Authorization: #50015141422, Applied to: AMBERWOOD DEVELOPMENT et al. - Class A Filing Fee ($280.00) Paid for: Lee Hernandez Landrum Garofalo - By Integrated Resource Systems IN

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

34 PROCEEDING ENTRIES

8.	17-Dec-2015	RECEIPT No.: 2015-01741 ; $140.00, Authorization: #50015141422, Applied to: AMBERWOOD DEVELOPMENT et al. - Class B Filing Fee ($140.00) Paid for: Lee Hernandez Landrum Garofalo - By Integrated Resource Systems IN (Memo: XREF 2015-01736)
9.	17-Dec-2015	VOID RECEIPT No.: 2015-01736 - $-280.00, Authorization: #50015141422, - Applied to: AMBERWOOD DEVELOPMENT et al. - Class A Filing Fee ($-280.00) Paid for: Lee Hernandez Landrum Garofalo - By: Integrated Resource Systems IN VOID Reason: x-ref 2015-01741 incorrect receivable. alc
10.	18-Dec-2015	RECEIPT No.: 2015-01743 ; $140.00, Authorization: #50015141422, Applied to: AMBERWOOD DEVELOPMENT et al. - Class A Filing Fee ($140.00) Paid for: Lee Hernandez Landrum Garofalo - By Intregrated Resource Systems IN (Memo: x-ref 2015-01741;partial payment)
11.	18-Dec-2015	RECEIPT No.: 2015-01744 ; $140.00, Check Number: #1004, Applied to: AMBERWOOD DEVELOPMENT et al. - Class A Filing Fee ($140.00) Paid for: - By The Lee Law Firm A Pro Corp
12.	18-Dec-2015	VOID RECEIPT No.: 2015-01741 - $-140.00, Authorization: #50015141422, - Applied to: AMBERWOOD DEVELOPMENT et al. - Class B Filing Fee ($-140.00) Paid for: Lee Hernandez Landrum Garofalo - By: Integrated Resource Systems IN (Memo: XREF 2015-01736) VOID Reason: X-REF 2015-01743 incorrect receivable a partial payment. alc
13.	24-Dec-2015	FILED: Case Management Statement; Exhibit 1 - Judgment filed 8/7/15 (Appellant)
14.	4-Jan-2016	FILED: Reporter's Transcript - 6/2/15 - Trial (Barbara Stockford)
15.	12-Jan-2016	FILED: Reporter's Transcript – 03/19/2012 - Oral Argument (Thelma J Neal) (Appellant)
16.	12-Jan-2016	FILED: Reporter's Transcript – 05/08/2015 - Trial Management Conference (Thelma J Neal) (Appellant)
17.	12-Jan-2016	FILED: Notice of Filing and Serving Transcripts; Certificate of Service re Notice of Filing and Serving Transcripts (Appellant)
18.	13-Jan-2016	FILED: Case Management Statement (Appellee/Cross-Appellants)
19.	2-Feb-2016	FILED: Third Party Defendant/Appellant's Opening Brief; Certificate of Compliance; Certificate of Service
20.	18-Mar-2016	FILED: Appellee's/Cross-Appellant's Answering Brief and Opening Brief on Cross-Appeal; Certificate of Compliance; Certificate of Service
21.	21-Mar-2016	FILED: Request for Oral Argument; Certificate of Service (Appellee)
22.	2-May-2016	FILED: Appellant/Cross-Appellee's Joined Reply and Cross-Answering Brief; Certificate of Compliance; Certificate of Service
23.	26-May-2016	FILED: Appellee's/Cross-Appellant's Reply Brief on Cross-Appeal; Certificate of Compliance; Certificate of Service (Appellees-Cross Appellants)
24.	28-Jun-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
25.	8-Jul-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
26.	8-Jul-2016	FILED: Additional Record on Appeal: Exhibits: HD 6/2/15 - LIST # 1 2 3 4 5 6 7 8 11 12 14 15 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 38 in a Box
27.	12-Jul-2016	ORDERED: Request for Oral Argument (Appellee) = GRANTED. Hon Michael J Brown - Author
28.	15-Nov-2016	FILED: Supplemental Citation of Legal Authority; Certificate of Service (Appellees/Cross-Appellants)
29.	30-Dec-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department B, 2-7-17, 10:45 am, COURTROOM 2.
30.	3-Jan-2017	FILED: Notice of Oral Argument
31.	23-Jan-2017	FILED: Returned US Mail, Notice of Oral Argument dated 01/03/2017, addressed to Lena Pond, Undeliverable - Return to Sender
32.	24-Jan-2017	FILED: Receipt for Notice of Oral Argument, signed by Lynn M Allen on 01/03/2017 (Appellant/Cross-Appellee)
33.	26-Jan-2017	FILED: Notice of Change of Counsel Within Firm; Certificate of Service (Appellee)
34.	31-Jan-2017	FILED: Receipt for Notice of Oral Argument, signed by Jennifer E Mullen on 01/04/2017 (Appellees/Cross-Appellants)

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