Court of Appeals, Division One

Civil Appeal

1 CA-CV 16-0294 ABC v. FLOOD CONTROL

Appellate Case Information

Case Filed: 20-May-2016

Case Closed:

Dept/Composition

Side 1. ABC SAND AND ROCK COMPANY INC, Plaintiff/Appellant

(Litigant Group) ABC SAND AND ROCK COMPANY INC

- **ABC Sand and Rock Company Inc**

Attorneys for: Plaintiff/Appellant

Colin F Campbell, Esq. (AZ Bar No. 4955)

Meghan Grabel, Esq. (AZ Bar No. 21362)

Jana Lynn Sutton, Esq. (AZ Bar No. 32040)

Side 2. FLOOD CONTROL DISTRICT OF MARICOPA COUNTY, Defendant/Appellee

(Litigant Group) FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

- **Flood Control District of Maricopa County**

Attorneys for: Defendant/Appellee

Stephen W Tully, Esq. (AZ Bar No. 14076)

Carlos B Gutierrez, Esq. (AZ Bar No. 25063)

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	LC2015-000096-001	Administrative Review		Crane McClennen, Authoring Judge of Order		

OPEN DUE DATE

Reply Brief due **Due By:** Monday, February 27, 2017

Re: FILED: Appellee's Answering Brief; Appellee's Certificate of Compliance; Appellee's Certificate of Service (Appellee)

PENDING MATTER

Div 1 Request for Oral Argument Filed: 14-Nov-2016

Request for Oral Argument (Appellant)

CASE DECISION

28-Jul-2016 OPINION

Samuel Thumma.....Author

Kent Cattani.....Concur

Randall Howe.....Concur

Filed: **28-Jul-2016** Mandate:

Decision Disposition
Jurisdiction Revested

26 PROCEEDING ENTRIES

1.	20-May-2016	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/22/16
2.	20-May-2016	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: FD 4/14/15 - 2 CD's in a manila envelope
3.	26-May-2016	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4.	10-Jun-2016	FILED: Letter, dated 06/10/2016, to Clerk from Jana L. Sutton re: Appellant Filing Fee (Appellant)
5.	15-Jun-2016	RECEIPT No.: 2016-00736 ; $280.00, Authorization: #66020053830, Applied to: ABC SAND AND ROCK COMPANY INC - Class A Filing Fee ($280.00) Paid for: Osborn Maledon PA - By Integrated Resource Systems IN
6.	15-Jun-2016	FILED: Case Management Statement (Appellant)
7.	17-Jun-2016	FILED: Appellee's Notice re: No Appellee's Fee Due; Appellant's Brief Due
8.	17-Jun-2016	FILED: Motion for Reconsideration Concerning Appellants Motion to Strike Appellees Surreply (Appellant Pro Per, Davis re 1 CA-CV 15-0728)

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

26 PROCEEDING ENTRIES

9.	22-Jun-2016	ORDERED: Consolidating case 1 CA-CV 16-0294 with case 1 CA-CV 15-0047 for sole purpose of considering this court's appellate jurisdiction. Case 1 CA-CV 15-0047 is designated the primary number. FURTHER ORDERED: Continuing stay of this consolidated appeal until further order. FURTHER ORDERED: Any party in case 1 CA-CV 16-0294 that wishes to be heard on issue regarding order containing Rule 54(c) language, memorandum due 07/05/2016. Hon Kent E Cattani Judge - Author
10.	27-Jun-2016	FILED: Motion for Appointment of Counsel (Appellant Pro Per)
11.	29-Jun-2016	FILED: Appellee's Reply to Appellant's Response to Appellee's Motion to Strike; Proof of Service (Appellee)
12.	11-Jul-2016	FILED: Courtesy Copy - Copy of my Medical Benefits for State of Calif Gov. Program (Debra Lavoie)
13.	20-Jul-2016	FILED: Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
14.	21-Jul-2016	ORDERED: Unopposed Motion for Extension of Time to File Opening Brief (Appellant) = DENIED. Melina Brill ProTem Judge - Author
15.	28-Jul-2016	OPINION (Jurisdiction Revested) Hon Samuel A Thumma - Author; Hon Kent E Cattani Judge - Concur; Hon Randall M Howe - Concur
16.	28-Jul-2016	FILED: Opinion Distribution List
17.	28-Jul-2016	ORDERED: deconsolidating this appeal from 1 CA-CV 15-0047. FURTHER ORDERED: continuing stay of appeal to/including 9/12/2016 and revesting jurisdiction to superior court to permit that court to consider an application by appellant for a signed order with certification of finality pursuant to Rule 54(c). FURTHER ORDERED: superior court rule on the application. FURTHER ORDERED: appellant file copy of signed order within 10 days of its entry. Once clerk of court has received order, appeal will be automatically reinstated. FURTHER ORDERED: if appeal has not been reinstated by filing of singed order by 9/12/2016, appellant shall file request to continue stay of appeal or appeal may be dismissed. FURTHER ORDERED: if signed order filed prior to 9/12/16, opening brief due 10/12/2016. Hon Kent E Cattani Judge - Author
18.	9-Sep-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes signed judgment filed 8/26/16)
19.	12-Sep-2016	FILED: Notice of Filing Order of Judgment; Certificate of Service; Exhibits A and B (Appellant)
20.	4-Oct-2016	FILED: Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
21.	5-Oct-2016	ORDERED: Unopposed Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 10-12-2016 to Monday, 11-14-2016. Melina Brill ProTem Judge - Author
22.	14-Nov-2016	FILED: Request for Oral Argument; Certificate of Service (Appellant)
23.	14-Nov-2016	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
24.	3-Jan-2017	FILED: Motion for Procedural Order for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
25.	4-Jan-2017	ORDERED: Motion for Procedural Order for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 01-03-2017 to Thursday, 02-02-2017. Melina Brill ProTem Judge - Author
26.	2-Feb-2017	FILED: Appellee's Answering Brief; Appellee's Certificate of Compliance; Appellee's Certificate of Service (Appellee)

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