

**Court of Appeals, Division One**  
**Civil Appeal**

**1 CA-CV 16-0396**

**YODER v. TUX-XPRESS**

<p><b>Appellate Case Information</b></p> <p>Case Filed: 5-Jul-2016</p> <p>Case Closed:</p>	<p><b>Dept/Composition</b></p>
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**Side 1. JOHN W YODER, Plaintiff/Appellant**  
**(Litigant Group) JOHN W YODER**

<ul style="list-style-type: none"> <li>John W Yoder</li> </ul>	<p><b>Attorneys for: Plaintiff/Appellant</b></p> <p>John L Dillingham, Esq. (AZ Bar No. 6328)</p>
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**Side 2. TUX-XPRESS INC, Defendant/Appellee**  
**(Litigant Group) TUX-XPRESS INC**

<ul style="list-style-type: none"> <li>Tux-Xpress Inc</li> </ul>	<p><b>Attorneys for: Defendant/Appellee</b></p> <p>Jonathan D Schneider, Esq. (AZ Bar No. 9834)</p> <p>Maria C Lomeli, Esq. (AZ Bar No. 31338)</p>
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**CASE STATUS**

Nov 15, 2016....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2014-013537	Tort - Premises Liability/Negligence		Joshua D Rogers, Authoring Judge of Order		

**24 PROCEEDING ENTRIES**

1.	5-Jul-2016	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/06/16			
2.	5-Jul-2016	FILED: e-Record on Appeal: Instruments/Minute Entries Depositions: Ava Arpaio; James Waxenberg			
3.	5-Jul-2016	FILED: Additional Record on Appeal: Exhibits: HD 3/21/16 - LIST # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 53 54 55 in Manila Envelope			
4.	11-Jul-2016	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due			
5.	12-Jul-2016	FILED: Appellant's Notice of Paying Filing Fee; Certificate of Service of Appellant's Notice of Paying Filing Fee (Appellant)			
6.	14-Jul-2016	FILED: Case Management Statement (Appellant)			
7.	15-Jul-2016	RECEIPT No.: 2016-00873 ; \$280.00, Authorization: 96019755992, Applied to: JOHN W YODER - Class A Filing Fee (\$280.00) Paid for: Dillingham Law PLLC - By Integrated Resource Systems IN			
8.	25-Jul-2016	FILED: Appellee's Notice re: Appellee's Fee Due; Appellant's Brief Due			
9.	26-Jul-2016	FILED: Notice of Payment of Appellee's Filing Fee; Defendant/Appellee's Certificate of Service (Appellee)			
10.	29-Jul-2016	RECEIPT No.: 2016-00945 ; \$140.00, Authorization: #10020920396, Applied to: TUX-XPRESS INC - Class B Filing Fee (\$140.00) Paid for: Schneider & Onofry PC - By Integrated Resource Systems IN			
11.	10-Aug-2016	FILED: Stipulation (re Flash Drive); Certificate of Service re Stipulation re Flash Drive (Appellant)			
12.	18-Aug-2016	ORDERED: Stipulation (re Flash Drive) (Appellant) = DENIED. FURTHER ORDERED: parties may prepare compact discs with the videos contained on the flash drive and file a stipulation to supplement record on appeal with compact discs. Hon Andrew W Gould - Author			
13.	22-Aug-2016	FILED: Stipulation (re CD Exhibit); Certificate of Service of Stipulation (Appellant)			
14.	7-Sep-2016	FILED: Request for Oral Argument; Certificate of Service re Request for Oral Argument (Appellant)			
15.	7-Sep-2016	FILED: Notice of Filing CD to Supplement the Record; Certificate of Service re Notice of Filing CD to Supplement the Record (Appellant)			
16.	7-Sep-2016	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)			

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17. 7-Sep-2016 FILED: Additional Record on Appeal:  
3 Compact Discs (CDs) in a small Manila Envelope
18. 7-Sep-2016 FILED: Courtesy Copy - Notice of Filing Compact Disc (CD) to Supplement the Record on Appeal (Appellant)
19. 9-Sep-2016 ORDERED: granting motion supplementing record on appeal with the three compact discs submitted on 09/07/2016. Melina Brill  
ProTem Judge - Author
20. 24-Oct-2016 FILED: Answering Brief; Defendant/Appellee's Certificate of Compliance for Answering Brief; Defendant/Appellee's Certificate of  
Service (Appellee)
21. 15-Nov-2016 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
22. 6-Dec-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
23. 13-Dec-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record
24. 14-Dec-2016 ORDERED: Request for Oral Argument (Appellant) = GRANTED. Oral argument will be scheduled in the normal course of the  
court's civil appeals calendar, and the court will notify counsel of the date. Hon Michael J Brown - Author