Court of Appeals, Division One

Civil Appeal

1 CA-CV 16-0404 BALDINO, et al. v. GREENBERG, et al.

Appellate Case Information

Case Filed: 7-Jul-2016

Case Closed:

Dept/Composition

Side 1. JOSEPH L BALDINO, et al., Plaintiff/Appellant

(Litigant Group) JOSEPH L BALDINO, et al.

- **Mr Joseph L Baldino**
  AZ Bar No. 5696
  [Current Member]
  SOLE PRACTIONER
  Admitted 4/28/79
- **Helen M Baldino**
  AZ Bar No. 5695
  [Current Member]
  Admitted 4/28/79
- **Eva Sperber-Proter**
- **Meridian Financial Corp**
- **Baseline and Val Vista LP**
- **Litchfield Road Associates LP**

Attorneys for: Plaintiffs/Appellants

Dennis I Wilenchik, Esq. (AZ Bar No. 5350)

Brian Hembd, Esq. (AZ Bar No. 29817)

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Side 2. ROGER ASHKENAZI, et al., Plaintiff/Appellee

(Litigant Group) ROGER ASHKENAZI, et al.

- **Roger Ashkenazi**
- **Alan Bandler**
- **Terri Bandler**
- **Sun America**
- **Linda Barkalow**
- **E-Trade Securities**
- **Charlotte Barkley**
- **Shauna Barkley**
- **Silvia Bighi**
- **Bighi & Associates LP**
- **Jon Bliven**
- **Lynda Bliven**
- **Paul L Bruno**
- **P. B. Co Inc**
- **Dick J Dijkman**
- **First Trust Co. of Onaga KS**
- **A H Earley**
- **Sheldon Epstein**
- **The Valley Medical Center LTD**
- **Karen M Epstein**
- **Michael D Epstein**
- **Heather R Epstein**
- **Bruce J Etkin**
- **Jericho LLC**
- **Gregory A Fisher**
- **Randy Gates**
- **Kathryn L Gates**
- **The MGC Contractors Profit Sharing Plan**
- **Gilburne Family Limited Liability Partnership**
- **Melvin M Glick**
- **The Good-Ward Corp**
- **Glenn Green**
- **Steve Gubin**
- **Stephen J Gubin**
- **Hallis Associates LP**
- **G3 Investments LP**
- **Land Pointe Apartments LLC**
- **Paradise Lane Properties LLC**
- **Larmon Haugen**

Co-Counsel for: Plaintiffs/Appellees Ashkenazi

Rickman P Brown, Esq. (GA Bar No. RICKMANPBROWN)

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Robert D Mitchell, Esq. (AZ Bar No. 11922)

Sarah K Deutsch, Esq. (AZ Bar No. 26229)

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- Larmon A Haugen
- Linda Haugen
- Kenneth J Held
- Arizona Bank & Trust
- Charles P Hurwich
- Louis Iorio
- The BPediatric Medical Associates PC
- The Pediatric Medical Associates PC
- Amnon Kahane
- Charles Schwab & Co Inc
- James L Klatt
- Shlomo Lanciano
- Lisette 206 LLC
- John A Luginbill
- First Regional Bank
- Susan G Luginbill
- The Fastak Enterprises LLC
- Michael A Macera
- Lois H Macleod
- Leslie H Margolin
- Mr James E Merriman
  AZ Bar No. 14847
  [Current Member]
  Admitted 11/30/93
- Entrust Arizona LLC
- Mark Moskowitz
- Cat's Paw Trust
- Robert R Murch
- Robert N O'Hara
- Joan O'Hara
- Eric Piatkowski
- Property Admin Specialists 401-K Plan FBO
- Elliott Pollack
- Pollack Family LLC
- Norman Saba
- Richard Shaw
- Vera Shaw
- Mingus LLC
- Robert C Swaback
- Barry Weiss
- Barry Zemel

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Court of Appeals, Division One

Civil Appeal

1 CA-CV 16-0404 BALDINO, et al. v. GREENBERG, et al.

Side 3. GREENBERG TRAURIG LLP, et al., Defendant/Appellee

(Litigant Group) GREENBERG TRAURIG LLP, et al.

- **Greenberg Traurig LLP**
- **Mr Robert S Kant**
  AZ Bar No. 5454
  [Current Member]
  Admitted 10/7/78
- **Ellen Kant**

Co-Counsel for: Defendnts/Appellees Greenberg etal

Martin R Galbut, Esq. (AZ Bar No. 2943)

Michaile J Berg, Esq. (AZ Bar No. 27166)

Kenneth C Smurzynski, Esq. (DC Bar No. 442131)

Colette T Connor, Esq. (DC Bar No. 991533)

CASE STATUS

Dec 27, 2016....At Issue

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2010-020851	Unclassified Civil		Arthur T Anderson, Authoring Judge of Order		

OPEN DUE DATE

Additional Record Due **Due By:** Tuesday, February 21, 2017

Re: FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days

CALENDAR

Friday MOTION CALENDAR

10-Feb-2017 **Department M;**

File date: 1/18/2017..... Ashkenazi Appellees' Second Request for Judicial Notice (Appellee)

File date: 1/20/2017.....* Motion to Strike/Response to Ashkenazi Appellees' Second Request for Judicial Notice and Attachment Thereto (Appellant)

23/Jan/2017 FILED: Ashkenazi Appellees' Opposition to Appellants' Motions to Strike Requests For Judicial Notice; Certificate of S

DECISION RENDERED: See proceeding entry for ORDER dated 13-Feb-2017 for more information...

3 PENDING MATTERS

General Motion Filed: 28-Nov-2016

Request for Judicial Notice (Appellee) *Scheduled: 30-Dec-2016*

General Motion Filed: 6-Jan-2017

Ashkenazi Appellees' Request for Judicial Notice (Appellee) *Scheduled: 27-Jan-2017*

General Motion Filed: 18-Jan-2017

Ashkenazi Appellees' Second Request for Judicial Notice (Appellee) *Scheduled: 10-Feb-2017*

42 PROCEEDING ENTRIES

1.	7-Jul-2016	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/07/16
2.	7-Jul-2016	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3.	11-Jul-2016	FILED: Notice to Parties re: Appellants' Fee/Case Management Statement/Brief Due
4.	15-Jul-2016	FILED: Reporter's Transcript - 08-20-13 - Motion for New Trial (Miguel Benitez)
5.	15-Jul-2016	FILED: Reporter's Transcript - 09-04-15 - Motion to Consolidate/Motion to Disqualify (Miguel Benitez)
6.	25-Jul-2016	FILED: Certificate of Compliance Regarding Payment of Appellants' Filing Fee; Certificate of Service (Appellants)

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42 PROCEEDING ENTRIES

7.	29-Jul-2016	RECEIPT No.: 2016-00943 ; $280.00, Authorization: #10020920396, Applied to: JOSEPH L BALDINO, et al. - Class A Filing Fee ($280.00) Paid for: Wilenchik & Bartness PC - By Integrated Resource Systems IN
8.	1-Aug-2016	FILED: Case Management Statement; Exhibit A (exhibits A-C to Case Management Statement); Certificate of Service (Appellants)
9.	3-Aug-2016	FILED: Reporter's Transcript - 11/30/2012 - Oral Argument (Donna Limerick) (Appellants)
10.	3-Aug-2016	FILED: Notice of Filing and Serving Transcript; Certificate of Service (Appellants)
11.	16-Aug-2016	FILED: Appellee's Notice re: Appellees' Fee Due; Appellant's Brief Due
12.	19-Aug-2016	RECEIPT No.: 2016-01040 ; $140.00, Check Number: #322085, Applied to: GREENBERG TRAURIG LLP, et al. - Class B Filing Fee ($140.00) Paid for: - By Williams & Connolly LLP
13.	25-Aug-2016	RECEIPT No.: 2016-01064 ; $140.00, Check Number: #2015, Applied to: ROGER ASHKENAZI, et al. - Class B Filing Fee ($140.00) Paid for: Roger A Shkenazi et al - By Evans Scholz Williams & Warncke LLC
14.	26-Aug-2016	FILED: Motion for Procedural Order: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant Joseph Baldino)
15.	29-Aug-2016	FILED: Opposition to Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellee Roger Shkenazi)
16.	29-Aug-2016	ORDERED: Motion for Procedural Order: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 09-09-2016 to Tuesday, 10-11-2016. Melina Brill ProTem Judge - Author
17.	30-Aug-2016	ORDERED: affirming this court's 08/29/2016 order granting a 30-day extension of time for filing opening brief. Melina Brill ProTem Judge - Author
18.	11-Oct-2016	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellants)
19.	28-Nov-2016	FILED: Request for Judicial Notice; Certificate of Service (Appellee Greenberg Traurig)
20.	28-Nov-2016	FILED: Brief of Defendants/Appellees Greenberg Traurig LLP, Robert S Kant, and Ellen P Kant; Defendants/Appellees Greenberg Traurig LLP, Robert S Kant, and Ellen P Kant's Certificate of Compliance; Defendants/Appellees Greenberg Traurig LLP, Robert S Kant, and Ellen P Kant's Certificate of Service (Appellee)
21.	28-Nov-2016	FILED: Ashkenazi Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
22.	28-Nov-2016	FILED: Notice of Receipt of Complete Application (Pro Hac Vice); Certificate of Good Standing (Pro Hac Vice); Verified Application to the State Bar of Arizona (Pro Hac Vice) (Appellee)
23.	1-Dec-2016	RECEIPT No.: 2016-01454 ; $140.00, Authorization: #35024901645, Applied to: ROGER ASHKENAZI, et al. - Overpayment Class B ($140.00) Paid for: Ross & Orenstein LLC - By Integrated Resource Systems IN (Memo: Duplicate pmt - See Rcpt 2016-01064 - Refund Needed)
24.	16-Dec-2016	FILED: Motion to Strike/Response to Greenberg Traurig LLP, Robert Kant, and Ellen P. Kant's Request for Judicial Notice and Attachment Thereto; Certificate of Service (Appellant)
25.	19-Dec-2016	FILED: Letter, 12/19/2016, from Court to Ross & Orenstein LLC, refunding $140.00 due to duplicate payment
26.	27-Dec-2016	FILED: Appellants' Reply to Ashkenazi Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellants)
27.	27-Dec-2016	FILED: Appellants' Reply to Greenberg Traurig LLP, Robert S. Kant, and Ellen P. Kant Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellants)
28.	28-Dec-2016	FILED: Defendant/Appellees Greenberg Traurig LLP, Robert S. Kant, and Ellen P. Kant's Response to Motion to Strike and Reply in Support of Request for Judicial Notice; Certificate of Service (Appellee)
29.	6-Jan-2017	FILED: Motion for Procedural Order: Motion to Accelerate Appeal; Certificate of Service (Appellee)
30.	6-Jan-2017	FILED: Ashkenazi Appellees' Request for Judicial Notice; Certificate of Service; Exhibit A (Appellee)
31.	6-Jan-2017	FILED: Notice of Receipt of Complete Application (Pro Hac Vice); Certificate of Good Standing; Verified Application (Appellee)
32.	12-Jan-2017	ORDERED: denying the motion to strike the request for judicial notice. FURTHER ORDERED: deferring a ruling on the request for judicial notice to the panel that considers this appeal on the merits. Melina Brill ProTem Judge - Author

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42 PROCEEDING ENTRIES

33.	13-Jan-2017	FILED: Motion to Strike/Response to Ashkenazi Appellees' Request for Judicial Notice and Attachment Thereto; Certificate of Service (Appellant)
34.	13-Jan-2017	FILED: Limited Objection to Motion to Accelerate Appeal; Certificate of Service (Appellant)
35.	18-Jan-2017	FILED: Ashkenazi Appellees' Second Request for Judicial Notice; Certificate of Service; Exhibit A (Appellee)
36.	18-Jan-2017	FILED: Notice of Receipt of Complete Application (Pro Hac Vice); Certificate of Good Standing (Pro Hac Vice); Verified Application to the State Bar of Arizona (Pro Hac Vice) (Appellee)
37.	20-Jan-2017	FILED: Motion to Strike/Response to Ashkenazi Appellees' Second Request for Judicial Notice and Attachment Thereto; Certificate of Service (Appellant)
38.	23-Jan-2017	FILED: Ashkenazi Appellees' Opposition to Appellants' Motions to Strike Requests For Judicial Notice; Certificate of Service (Appellee)
39.	23-Jan-2017	FILED: Notice of Receipt of Complete Application (Pro Hac Vice); Certificate of Good Standing (Pro Hac Vice); Verified Application to the State Bar of Arizona (Pro Hac Vice) (Appellee)
40.	7-Feb-2017	ORDERED: Motion for Procedural Order: Motion to Accelerate Appeal (Appellee) = DENIED. Hon Michael J Brown - Author
41.	9-Feb-2017	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
42.	13-Feb-2017	ORDERED: Motion to Strike/Response to Ashkenazi Appellees' Second Request for Judicial Notice and Attachment Thereto (Appellant) = DENIED. FURTHER ORDERED: deferring a ruling on requests for judicial notice to panel that considers this appeal on the merits. Melina Brill ProTem Judge - Author

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