

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 20-0029**

**SIMMONS, et al. v. KLARKOWSKI, et al.**

**Appellate Case Information**

Case Filed: 10-Jan-2020  
Case Closed:

**Dept/Composition**

**Department A**  
Hon. Randall M Howe  
Hon. Kent E Cattani  
Hon. Cynthia J Bailey

**Side 1. SIMMONS & GOTTFRIED PLLC, et al., Plaintiff/Appellee**

(Litigant Group) SIMMONS & GOTTFRIED PLLC, et al.

- Simmons & Gottfried PLLC, Counter-Defendant
- Jared C Simmons, Counter-Defendant  
AZ Bar No. 18624

**Attorneys for: Plaintiffs/Appellees**  
David Marhoffer, Esq. (AZ Bar No. 15894)

**Side 2. SCOTT KLARKOWSKI, et al., Defendant/Appellant**

(Litigant Group) SCOTT KLARKOWSKI, et al.

- Scott Klarkowski, Counter-Claimant PRO SE
- Julie Klarkowski, Counter-Claimant PRO SE

**CASE STATUS**

Sep 28, 2020....Assigned

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2018-002700	Breach of Contract; Breach of Duty of Good Faith and Fair Dealing; Account Stated		Michael W Kemp, Authoring Judge of Order		

**CALENDAR**

**Tuesday** MONTHLY COURT CASE CALENDAR  
**10-Nov-2020** Department A; CONFERENCE ROOM

*IC Cases*

**25 PROCEEDING ENTRIES**

- 10-Jan-2020 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 12/13/19
- 10-Jan-2020 FILED: e-Record on Appeal: Combined Minute Entries/Instruments Exhibits: None
- 17-Jan-2020 FILED: Appellate Clerk Notice re: Appellants' Fee/Case Management Statement/Brief Due
- 3-Feb-2020 FILED: Klarkowskis' Notice of Electronic Payment of Appellants' Filing Fee Made Pursuant to Court of Appeals Clerk's Notice ("First Notice") Dated January 17, 2020; Certificate of Service (Appellant)
- 6-Feb-2020 FILED: Case Management Statement (Appellants)
- 6-Feb-2020 FILED: Klarkowskis' Notice of Transcript Order; Certificate of Service: Klarkowskis' Notice of Transcript Order (Appellants)
- 7-Feb-2020 RECEIPT No.: 2020-00144 ; \$280.00, Authorization: #37015912436, Applied to: SCOTT KLARKOWSKI, et al. - Class A Filing Fee (\$280.00) Paid for: The Law Office of Darrell J Duncan PLLC - By nCourt LLC
- 20-Feb-2020 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
- 5-Mar-2020 FILED: Notice of Appearance and Payment of Appellate Fee; Certificate of Service (Appellee)
- 10-Mar-2020 RECEIPT No.: 2020-00361 ; \$140.00, Authorization: #690326726359, Applied to: SIMMONS & GOTTFRIED PLLC, et al. - Class B Filing Fee (\$140.00) Paid for: The Marhoffer Law Firm PLLC - By nCourt LLC
- 17-Mar-2020 FILED: Klarkowskis' Accelerated Motion to Extend Deadline for Filing Appellants' Opening Brief; Certificate of Service Klarkowskis' Accelerated Motion to Extend Deadline for Filing Appellants' Opening Brief (Appellant)
- 18-Mar-2020 ORDERED: Klarkowskis' Accelerated Motion to Extend Deadline for Filing Appellants' Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 03-17-2020 to Thursday, 04-16-2020. Melina Brill ProTem Judge - Author

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**25 PROCEEDING ENTRIES**

13. 16-Apr-2020 FILED: Klarkowskis' Accelerated Motion to Re-Extend Deadline for Filing Appellants' Opening Brief; Certificate of Service (Appellant)
14. 17-Apr-2020 ORDERED: Klarkowskis' Accelerated Motion to Re-Extend Deadline for Filing Appellants' Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 04-16-2020 to Monday, 05-18-2020. If additional extension is needed, appellants must file a motion that complies with ARCAP 6(b) (1) (B). If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
15. 18-May-2020 FILED: Klarkowskis' Accelerated Motion to Re-Extend Deadline for Filing Appellants' Opening Brief Based on Special Circumstances; Certificate of Service (Appellant)
16. 18-May-2020 FILED: Klarkowskis' Amended Accelerated Motion to Re-Extend Deadline for Filing Appellants' Opening Brief Based on Special Circumstances; Certificate of Service (Appellant)
17. 19-May-2020 ORDERED: Klarkowskis' Accelerated Motion to Re-Extend Deadline for Filing Appellants' Opening Brief Based on Special Circumstances (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-18-2020 to Wednesday, 06-17-2020. No further extension will be granted. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
18. 16-Jun-2020 FILED: Klarkowskis' Accelerated Motion to Re-Extend Deadline for Filing Appellants' Opening Brief Based on Special Circumstances Final Request; Certificate of Service (Appellant)
19. 16-Jun-2020 ORDERED: Klarkowskis' Accelerated Motion to Re-Extend Deadline for Filing Appellants' Opening Brief Based on Special Circumstances Final Request (Appellant) = DENIED. Melina Brill ProTem Judge - Author
20. 17-Jun-2020 FILED: Opening Brief of Appellants' Scott and Julie Klarkowski; Certificate of Compliance Opening Brief of Appellants' Scott and Julie Klarkowski; Certificate of Service Opening Brief of Appellants' Scott and Julie Klarkowski (Appellants Pro Per)
21. 27-Jul-2020 FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
22. 14-Aug-2020 FILED: Appellants' Reply Brief; Certificate of Compliance; (Untitled) Certificate of Service (Appellants Pro Per)
23. 16-Sep-2020 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
24. 25-Sep-2020 FILED: Supplemented Superior Court e-Record with Revised Index of Record
25. 28-Sep-2020 CLNDR: CONFERENCE, Department A, 11-10-20, CONFERENCE ROOM.