

Court of Appeals, Division One
Industrial Commission

1 CA-IC 16-0008

DRAKE v AZ CARDINALS et al.

Appellate Case Information

Case Filed: 4-Mar-2016
Case Closed:

Dept/Composition

Department D
Hon. Andrew W Gould
Hon. Peter B Swann
Hon. Patricia A Orozco

Side 1. JERRY DRAKE, Petitioner

(Litigant Group) JERRY DRAKE

- Jerry Drake

Attorney for: Petitioner

J Wayne Turley, Esq. (AZ Bar No. 7230)

Side 2. THE INDUSTRIAL COMMISSION OF ARIZONA, Respondent

(Litigant Group) ICA

- Industrial Commission of Arizona

(Litigant Group) AZ CARDINALS/ZENITH INSURANCE CO./BROADSPIRE INC.FAIRMONT PREMIER INSURANCE CO.

- Arizona Cardinals, Respondent Employer
- Zenith Insurance, Respondent Carrier
- Broadspire, Respondent Carrier
- Fairmount Premier Insurance Co, Respondent Carrier

Attorney for: Respondent Employer/Carrier

R Todd Lundmark, Esq. (AZ Bar No. 6919)

CASE STATUS

Dec 22, 2016....Decision Rendered

PREDECESSOR CASE(S) +	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
ICA 20003-140509					
↙ INSCA 187481508			Comments: (none)		
ICA 95237-779674					
↙ INSCA 187481520-001			Comments: (none)		
ICA 97280-178238			Allen B Shayo, Administrative Law Judge		
↙ INSCA B00104995			Comments: (none)		
ICA 98051-242177					
↙ INSCA A98013058			Comments: (none)		

2 OPEN DUE DATES

Motion for Reconsideration due

Due By: Friday, January 6, 2017

Re: MEMORANDUM DECISION (Award Affirmed) Hon Peter B Swann - Author; Hon Andrew W Gould - Concur;
Hon Patricia A Orozco - Concur

Petition for Review to ASC due

Due By: Monday, January 23, 2017

Re: MEMORANDUM DECISION (Award Affirmed) Hon Peter B Swann - Author; Hon Andrew W Gould - Concur;
Hon Patricia A Orozco - Concur

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CASE DECISION

22-Dec-2016 MEMORANDUM DECISION

Peter Swann.....Author
Andrew Gould.....Concur
Patricia Orozco.....Concur

Filed: **22-Dec-2016**

Mandate:

Decision Disposition

Award Affirmed

24 PROCEEDING ENTRIES

1. 4-Mar-2016 FILED: Petition for Special Action - Industrial Commission
2. 4-Mar-2016 RECEIPT No.: 2016-00302 ; \$280.00, Check Number: #0665, Applied to: Jerry Drake - Class A Filing Fee (\$280.00) Paid for: - By J Wayne Turley PC
3. 7-Mar-2016 FILED: Writ of Review
FILED: Certificate of Mailing re: Writ of Review
4. 15-Mar-2016 FILED: Notice of Appearance; Certificate of Service Re: Notice of Appearance (Respondent)
5. 17-Mar-2016 RECEIPT No.: 2016-00348 ; \$140.00, Authorization: 76019200310, Applied to: AZ CARDINALS/ZENITH INSURANCE CO./BROADSPIRE INC.F - Class B Filing Fee (\$140.00) Paid for: Lundmark Barberich La Mont & Slavin PC - By Integrated Resource Systems IN
6. 25-Mar-2016 FILED: Notice of Appearance; Certificate of Service: Notice of Appearance (Respondent ICA)
7. 25-Mar-2016 FILED: Motion for Extension of Time to Certify the Record; Certificate of Service (Respondent)
8. 28-Mar-2016 ORDERED: Motion for Extension of Time to Certify the Record; (Respondent) = GRANTED. Due date EXTENDED from Monday, 03-21-2016 to Monday, 04-11-2016. Barbara Vidal Vaught ProTem Judge - Author
9. 11-Apr-2016 FILED: Record on Appeal:
Certified Claims Filed: 12 Parts
10. 5-May-2016 FILED: Petitioner's Opening Brief; Certificate of Compliance; Proof of Service
11. 8-Jun-2016 FILED: Stipulation for Extension of Time to File Answering Brief; Certificate of Service - Stipulation for Extension of Time (Respondent)
12. 8-Jun-2016 FILED: Affidavit of R. Todd Lundmark (Respondent)
13. 14-Jun-2016 ORDERED: Stipulation for Extension of Time to File Answering Brief (Respondent) = GRANTED. Due date EXTENDED from Monday, 06-20-2016 to Wednesday, 07-20-2016. Melina Brill ProTem Judge - Author
14. 14-Jul-2016 FILED: Stipulation for Extension of Time to File Answering Brief; Certificate of Service - Stipulation for Extension of Time to File Answering Brief (Respondent)
15. 14-Jul-2016 FILED: Affidavit of R. Todd Lundmark (Respondent)
16. 18-Jul-2016 ORDERED: Stipulation for Extension of Time to File Answering Brief (Respondent) = GRANTED. Due date EXTENDED from Wednesday, 07-20-2016 to Wednesday, 07-27-2016. Melina Brill ProTem Judge - Author
17. 27-Jul-2016 FILED: Answering Brief of Respondent Employer and Respondent Carrier; Answering Brief of Respondent Employer and Respondent Carrier - Certificate of Compliance; Answering Brief of Respondent Employer and Respondent Carrier - Certificate of Service (Respondent)
18. 27-Jul-2016 FILED: Appendix to Respondent Employer and Respondent Carrier's Answering Brief (Respondent)
19. 16-Aug-2016 FILED: Petitioner's Reply Brief; Certificate of Compliance; Certificate of Service of Petitioner's Reply Brief; Appendix to Petitioner's Reply Brief
20. 6-Oct-2016 CLNDR: CONFERENCE, Department D, 11-30-16, COURTROOM 2.

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24 PROCEEDING ENTRIES

21. 21-Oct-2016 FILED: Additional Record on Appeal:
Supplemental Record: 1 Part
22. 10-Nov-2016 FILED: Memorandum moving case from 11/30/16 to 11/23/16 (Judge Gould)
23. 22-Dec-2016 FILED: Memorandum Decision Distribution List
24. 22-Dec-2016 MEMORANDUM DECISION (Award Affirmed) Hon Peter B Swann - Author; Hon Andrew W Gould - Concur; Hon Patricia A Orozco - Concur