

**Court of Appeals, Division One  
Industrial Commission**

**1 CA-IC 16-0012**

**CHL/ACE v. KYRZAKOS**

<b>Appellate Case Information</b> Case Filed: 31-Mar-2016 Case Closed:	<b>Dept/Composition</b> <b>Department E</b> Hon. Kent E Cattani Hon. Lawrence F Winthrop Hon. John C Gemmill
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**Side 1. CHL PERSONNEL/ACE AMERICAN INS.CO./GALLAGHER BASSETT SERVICES, INC., Petitioner**  
(Litigant Group) CHL PERSONNEL et al.

- CHL Personnel, Petitioner Employer **Attorney for: Petitioner Employer/Carrier**
- Ace American Insurance Company, Petitioner Carrier R Todd Lundmark, Esq. (AZ Bar No. 6919)
- Gallagher Bassett Services Inc, Petitioner Carrier

**Side 2. ACE AMERICAN INS. CO./GALLAGHER BASSETT SERVICES, INC., Respondent**  
(Litigant Group) ICA

- Industrial Commission of Arizona **Attorneys for: Respondent ICA**
- Andrew F Wade, Esq. (AZ Bar No. 13441)

(Litigant Group) JEFFREY KYRZAKOS

- Jeffrey Kyrzakos, Respondent Employee **Attorney for: Respondent Employee**
- J Wayne Turley, Esq. (AZ Bar No. 7230)

**Side 3. COPPERPOINT MUTUAL INSURANCE COMPANY, Amicus Curiae**  
(Litigant Group) COPPERPOINT MUTUAL INSURANCE COMPANY

- CopperPoint Mutual Insurance Company **Attorneys for: Amicus Curiae**
- Mark A Kendall, Esq. (AZ Bar No. 12221)

**CASE STATUS**

Nov 28, 2016....Stayed (until 2/28/17) Aug 29, 2016....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
ICA 20140-640225			Allen B Shayo, Administrative Law Judge		
↳ INSCA 007854-000162-WC-01			Comments: (none)		

**DESCENDENT CASE(S)**

ASC T-16-0003-CV

**OPEN DUE DATE**

**Court Ordered Document due** **Due By:** Monday, February 27, 2017

*Motion to Dismiss*  
 Re: \* ORDERED: Kyrzakos Notice of Settlement and Motion for Remand (Respondent) = GRANTED/vacating oral argument set for 11/30/16. FURTHER ORDERED: Returning jurisdiction to Industrial Commission to/including 2/27/17 to consider settlement. FURTHER ORDERED

**PENDING MATTER**

**General Motion** Filed: 1-Dec-2016  
*Notice of Settlement and Motion for Remand to Industrial Commission (Respondent)*

**24 PROCEEDING ENTRIES**

1. 31-Mar-2016 FILED: Petition for Special Action - Industrial Commission; Certificate of Service (Petitioner)
2. 31-Mar-2016 FILED: Writ of Review  
FILED: Certificate of Mailing re: Writ of Review

**Court of Appeals, Division One**  
**Industrial Commission**

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**24 PROCEEDING ENTRIES**

3. 4-Apr-2016 RECEIPT No.: 2016-00405 ; \$280.00, Authorization: 95011710271, Applied to: CHL PERSONNEL et al. - Class A Filing Fee (\$280.00) Paid for: Lundmark Barberich La Mont & Slavin PC - By Integrated Resource Systems IN
4. 12-Apr-2016 FILED: Notice of Appearance; Certificate of Service Notice of Appearance (Respondent ICA)
5. 12-Apr-2016 FILED: Record on Appeal:  
Certified Claims File: 2 Parts
6. 14-Apr-2016 FILED: Notice of Appearance; Certificate of Service: Notice of Appearance (Respondent Employee)
7. 19-Apr-2016 RECEIPT No.: 2016-00460 ; \$140.00, Authorization: #9022287097, Applied to: JEFFREY KYRZAKOS - Class B Filing Fee (\$140.00) Paid for: J Wayne Turley PC - By Integrated Resource Systems IN
8. 29-Apr-2016 FILED: Opening Brief of Petitioner Employer & Carrier; Certificate of Compliance; Certificate of Service
9. 29-Apr-2016 FILED: Appendix to Opening Brief of Petitioner Employer & Carrier (Petitioner)
10. 20-May-2016 FILED: Respondent's Answering Brief; Certificate of Compliance; Certificate of Service
11. 3-Jun-2016 FILED: Reply Brief of Petitioner Employer & Carrier; Certificate of Compliance; Certificate of Service
12. 14-Jun-2016 FILED: ASC Letter, 6/14/16, re: Petition for Transfer DENIED on 6/14/16
13. 29-Aug-2016 CLNDR: CONFERENCE, Department E, 10-4-16, COURTROOM 2.
14. 5-Oct-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 11-30-16, 02:15 pm, COURTROOM 2.
15. 5-Oct-2016 ORDERED: setting oral argument on 11/30/16 at 2:15 pm (see Order) Hon Kent E Cattani Judge - Author
16. 11-Oct-2016 FILED: Return Receipt Re Oral Argument, signed by Trace Bartlett on 10/10/16 (Respondent)
17. 12-Oct-2016 FILED: Return Receipt for Notice of Oral Argument, signed by R. Todd Lundmark, on 10/5/16 (Petitioner)
18. 3-Nov-2016 FILED: Brief of Amicus Curiae CopperPoint Mutual Insurance Company; Certificate of Compliance; Certificate of Service (Amicus Curiae)
19. 3-Nov-2016 FILED: Motion for Leave to File Brief of Amicus Curiae by CopperPoint Mutual Insurance Company; Certificate of Service (Amicus Curiae)
20. 4-Nov-2016 ORDERED: Motion for Leave to File Brief of Amicus Curiae by CopperPoint Mutual Insurance Company (Amicus Curiae) = GRANTED and accepting Copperpoint's Amicus Brief. Hon Kent E Cattani Judge - Author
21. 28-Nov-2016 FILED: Kyrzakos Notice of Settlement and Motion for Remand; Certificate of Service (Respondent)
22. 28-Nov-2016 ORDERED: Kyrzakos Notice of Settlement and Motion for Remand (Respondent) = GRANTED/vacating oral argument set for 11/30/16. FURTHER ORDERED: Returning jurisdiction to Industrial Commission to/including 2/27/17 to consider settlement. FURTHER ORDERED: Directing petitioners to file a motion to dismiss if/when Commission approves settlement. FURTHER ORDERED: If Commission does not approve settlement on/before 2/27/17, opening brief is due on/before 3/29/17 (sic). Melina Brill ProTem Judge - Concur
23. 29-Nov-2016 AMENDED ORDER: vacating oral argument set for 11/30/16. FURTHER ORDERED: Returning jurisdiction to Industrial Commission to/including 2/27/17 to consider settlement. FURTHER ORDERED: Directing petitioners to file motion to dismiss if/when Commission approves settlement. Melina Brill ProTem Judge - Author
24. 1-Dec-2016 FILED: Notice of Settlement and Motion for Remand to Industrial Commission; Certificate of Service (Respondent)