

Court of Appeals, Division One
Special Action

1 CA-SA 15-0315

GARZA v. HON GAMA/SWIFT

Appellate Case Information Case Filed: 23-Dec-2015 Case Closed:	Dept/Composition Department E Hon. Diane M Johnsen Hon. Patricia A Orozco Hon. Kenton D Jones
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Side 1. LEONEL GARZA, and all persons similarly situated, Petitioner
(Litigant Group) LEONEL GARZA

- Leonel Garza
- Attorneys for: Petitioner**
 Robert B Carey, Esq. (AZ Bar No. 11186)
 Leonard W Aragon, Esq. (AZ Bar No. 20977)
 Michella Kras, Esq. (AZ Bar No. 22324)

Side 2. THE HONORABLE J. RICHARD GAMA, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,

Respondent Judge,
SWIFT TRANSPORTATION CO., INC.,
Real Party in Interest., Respondent
(Litigant Group) HONORABLE J. RICHARD GAMA

- Hon. J Richard Gama, Respondent Judge
- (Litigant Group) SWIFT TRANSPORTATION CO., INC.**
- Swift Transportation Company Inc, Real Party in Interest
- Attorneys for: Real Party in Interest**
 Rebecca Lumley, Esq. (AZ Bar No. 25604)
 James C Sullivan, Esq. (MO Bar No. 38318)
 Travis Salmon, Esq. (MO Bar No. 53090)

CASE STATUS

Aug 15, 2016....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV 2004-001777			J Richard Gama, Authoring Judge of Order		

DESCENDENT CASE(S)	
ASC CV-16-0195-PR	

CASE DECISION

12-Jul-2016	OPINION		
Diane Johnsen.....	Author	Filed: 12-Jul-2016	Mandate:
Patricia Orozco.....	Concur	Decision Disposition Jurisdiction Accepted Relief Granted	
Kenton Jones.....	Concur		

59 PROCEEDING ENTRIES

- 23-Dec-2015 FILED: Party Contact Information for Petition for Special Action (Petitioner)
- 23-Dec-2015 FILED: Petition for Special Action; Certificate of Compliance (Petitioner)
- 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume I [0001-0648] (Petitioner)
- 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume II [0649-0810] (Petitioner)
- 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume III [0811-0972] (Petitioner)

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6. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume IV [0973-1134] (Petitioner)
7. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume V [1135-1296] (Petitioner)
8. 23-Dec-2015 FILED: Order Setting Dates/petition set for am of 1/20/16 by Dept E, Judges Johnsen, Orozco, Jones
9. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume VI [1297-1620] (Petitioner)
10. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume VII [1621-1782] (Petitioner)
11. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume VIII [1783-1863] (Petitioner)
12. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume IX [1864-1944] (Petitioner)
13. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume X [1945-2025] (Petitioner)
14. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume XI [2026-2268] (Petitioner)
15. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume XII [2269-2430] (Petitioner)
16. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume XIII [2431-2511] (Petitioner)
17. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume XIV [2512-2592] (Petitioner)
18. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume XV [2593-2916] (Petitioner)
19. 23-Dec-2015 FILED: Appendix to Petition for Special Action Volume XVI [2917-3090] (Petitioner)
20. 23-Dec-2015 FILED: Certificate of Filing and Service (Appendix to Petition for Special Action) (Petitioner)
21. 23-Dec-2015 FILED: Motion to File Appendix of Confidential Documents Under Seal; Certificate of Filing and Service; Exhibit 1 (Petitioner)
22. 23-Dec-2015 FILED: Certificate of Filing and Service (Petitioner)
23. 23-Dec-2015 FILED: Certificate of Filing and Service (Petitioner)
24. 23-Dec-2015 FILED: Appendix of Confidential Documents to Petition for Special Action - Volume XVII [3091-3173] (To Be Filed Under Seal) (Petitioner)
25. 23-Dec-2015 FILED: Certificate of Filing and Service (Appendix of Confidential Documents) (Petitioner)
26. 24-Dec-2015 FILED: Petitioners' Notice of Errata; Certificate of Filing and Service (Re Notice of Errata) (Petitioner)
27. 24-Dec-2015 FILED: Amended Party Contact Information for Petition for Special Action (Petitioner)
28. 28-Dec-2015 RECEIPT No.: 2015-01780 ; \$280.00, Authorization: Ref162006295420, Applied to: LEONEL GARZA - Class A Filing Fee (\$280.00) Paid for: Hagens Berman Sobol Shapiro LLP - By Integrated Resource Systems IN
29. 28-Dec-2015 ORDERED: Motion to File Appendix of Confidential Documents Under Seal = GRANTED and accepting the appendix as filed under seal on 12/23/15, subject to access by court personnel as needed for processing this appeal. Hon Diane M Johnsen - Author
30. 5-Jan-2016 FILED: Response to Petition for Special Action; Certificate of Compliance; Certificate of Filing and Service (Real Party in Interest)
31. 5-Jan-2016 FILED: Supplemental Appendix to Petition for Special Action Volume I (1-690) (Real Party in Interest)
32. 5-Jan-2016 FILED: Supplemental Appendix to Petition for Special Action Volume II (691-983) (Real Party in Interest)
33. 5-Jan-2016 FILED: Supplemental Appendix to Petition for Special Action Volume III (984-1167) (Real Party in Interest)
34. 5-Jan-2016 FILED: Supplemental Appendix to Petition for Special Action Volume IV (1168-1267) (Real Party in Interest)
35. 5-Jan-2016 FILED: Supplemental Appendix to Petition for Special Action Volume V (1268-1321) (Real Party in Interest)
36. 5-Jan-2016 FILED: Supplemental Appendix to Petition for Special Action Volume VI (1322-1371) (Real Party in Interest)
37. 5-Jan-2016 FILED: Supplemental Appendix to Petition for Special Action Volume VII (1372-1408) (Real Party in Interest)
38. 5-Jan-2016 FILED: Supplemental Appendix to Petition for Special Action Volume VIII (1409-1615) (Real Party in Interest)
39. 5-Jan-2016 FILED: Certificate of Filing and Service re Appendix Volumes I-VIII (Real Party in Interest)

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59 PROCEEDING ENTRIES

40. 12-Jan-2016 RECEIPT No.: 2016-00032 ; \$140.00, Authorization: #07010064051, Applied to: SWIFT TRANSPORTATION CO., INC. - Class B Filing Fee (\$140.00) Paid for: Polsinelli PC - By Integrated Resource Systems
41. 12-Jan-2016 FILED: Reply In Support of Petition for Special Action; Certificate of Filing and Service; Certificate of Compliance (Petitioner)
42. 14-Jan-2016 FILED: Petitioners' Notice of Errata; Certificate of Filing and Service (Petitioner)
43. 14-Jan-2016 FILED: Corrected Reply In Support of Petition for Special Action; Certificate of Filing and Service; Certificate of Compliance (Petitioner)
44. 22-Jan-2016 ORDERED: setting this case for oral argument on 2/17/16 @ 2 pm. Each side will be allowed 20 minutes for argument. (See order) Hon Diane M Johnsen - Author
45. 9-Feb-2016 FILED: Return Receipt for Notice of Oral Argument signed by James C Sullivan on 1/22/16; Certificate of Filing and Service (Real Party in Interest)
46. 9-Feb-2016 FILED: Return Receipt for Notice of Oral Argument signed by Robert B Carey on 1/22/16; Certificate of Filing and Service (Petitioners)
47. 17-Feb-2016 FILED: Sign-in Sheet/Case is Under Advisement (Dept E)
48. 22-Feb-2016 FILED: Petitioner's Motion for Leave to File Supplemental Memorandum of Legal Authorities; Certificate of Filing and Service; Exhibit A (Petitioner)
49. 29-Feb-2016 FILED: Response to Petitioner's Motion for Leave to File Supplemental Memorandum of Legal Authorities, or Alternatively, Motion for Leave to Respond to Petitioner's Supplemental Memorandum; Certificate of Service (Real Party in Interest)
50. 7-Mar-2016 FILED: Petitioner's Reply In Support of Motion for Leave to File Supplemental Memorandum of Legal Authorities; Certificate of Filing and Service; Exhibit A (Petitioner)
51. 24-Mar-2016 FILED: Petitioner's Rule 17 Supplemental Citation of Legal Authorities; Certificate of Filing and Service (Petitioner)
52. 20-May-2016 FILED: Petitioner's Rule 17 Supplemental Citation of Legal Authorities; Certificate of Filing and Service; (Petitioner's Rule 17 Supplemental Citation of Legal Authorities) Exhibit A
53. 12-Jul-2016 OPINION (Jurisdiction Accepted, Relief Granted) Hon Diane M Johnsen - Author; Hon Patricia A Orozco - Concur; Hon Kenton D Jones Judge - Concur
54. 12-Jul-2016 FILED: Opinion Distribution List
55. 27-Jul-2016 FILED: Petitioner's Motion for Reconsideration; Certificate of Compliance; Certificate of Filing and Service (Petitioner)
56. 27-Jul-2016 FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Filing and Service (Real Party in Interest)
57. 28-Jul-2016 ORDERED: Petitioner's Motion for Reconsideration and Motion for Reconsideration (Real Party in Interest) = DENIED. Hon Diane M Johnsen - Author
58. 15-Aug-2016 FILED: Email Notice from ASC re: Petition for Review filed 8/12/16; request for partial record
59. 15-Aug-2016 FILED: Letter forwarding partial record to Arizona Supreme Court