

**Court of Appeals, Division One**  
**Special Action**

**1 CA-SA 16-0200**

**ATKINS v. HON BRODMAN/SNELL & WILMER et al.**

<p><b>Appellate Case Information</b></p> <p>Case Filed: 8-Sep-2016</p> <p>Case Closed:</p>	<p><b>Dept/Composition</b></p> <p><b>Department A</b></p> <p>Hon. Kenton D Jones Hon. Randall M Howe Hon. Donn Kessler</p>
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**Side 1. BARRY M. ATKINS and MISSY ATKINS, Petitioner**  
**(Litigant Group) MISSY ATKINS**

• Missy Atkins **Attorney for: Petitioner Missy Atkins**  
F Thomas Hovore, Esq. (AZ Bar No. 21518)

**(Litigant Group) BARRY ATKINS**

• Barry M Atkins **Attorney for: Petitioner Barry Atkins**  
J Ken Johnson, Esq. (TX Bar No. 10746300)

**Side 2. THE HONORABLE ROGER BRODMAN, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,**

**Respondent Judge,**  
**SNELL & WILMER, L.L.P., an Arizona limited liability partnership; DONALD W. BIVENS and PATRICIA LEE REFO, husband and wife; ROBERT M. KORT and MYNDI M. KORT, husband and wife,**

**Real Parties in Interest., Respondent**  
**(Litigant Group) HON BRODMAN**

• Hon. Roger E Brodman, Respondent Judge

**(Litigant Group) SNELL & WILMER**

• Snell & Wilmer LLP, Real Party in Interest **Attorneys for: Real Parties In Interest**  
Timothy J Burke, Esq. (AZ Bar No. 2568)  
Amy Abdo, Esq. (AZ Bar No. 16346)  
Jessica Post, Esq. (AZ Bar No. 27468)

• Donald W Bivens, Real Party in Interest

• Patricia Lee Refo, Real Party in Interest  
AZ Bar No. 17032  
[Current Member]  
Admitted 6/11/96

• Robert M Kort, Real Party in Interest  
AZ Bar No. 16602  
[Current Member]  
Admitted 10/21/95

• Myndi M Kort, Real Party in Interest  
AZ Bar No. 16467  
[Current Member]  
Admitted 10/21/95

**CASE STATUS**

Sep 14, 2016....Pending in ASC

<b>PREDECESSOR CASE (S)</b>	<b>Cause/Charge/Class</b>	<b>Judgment/Sentence</b>	<b>Judge, Role &lt;Comments&gt;</b>	<b>Trial</b>	<b>Dispo</b>
MAR	CV 2011-052578		Roger E Brodman, Authoring Judge of Order		
MAR	CV 2011-052858		Roger E Brodman, Authoring Judge of Order		
MAR	CV 2014-052003		Roger E Brodman, Authoring Judge of Order		

<b>DESCENDENT CASE (S)</b>	
ASC	CV-16-0229-PR

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**Special Action**

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**ATKINS v. HON BRODMAN/SNELL & WILMER et al.**

**CASE DECISION**

09-Sep-2016 **ORDER**

ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED. FURTHER ORDERED: Vacating this court's previous order requiring filing and service of a response. (Judges Jones, Howe, Kessler)

Filed: **09-Sep-2016**

Mandate:

Decision Disposition

***Jurisdiction Declined***

Kenton Jones.....Author

**12 PROCEEDING ENTRIES**

1. 8-Sep-2016 FILED: Petition for Special Action; Certificate of Compliance; Contact Information Sheet; Certificate of Service to Petitioners' Filing of Petition for Special Action (Petitioner)
2. 8-Sep-2016 FILED: Appendix in Support of Petition for Special Action of Petitioners; Tabs 1-8; Tabs 9-15; Tabs 16-34 (Petitioner)
3. 8-Sep-2016 FILED: Appendix in Support of Petition for Special Action of Petitioners; Certificate of Service to Petitioners' Filing of Appendix in Support of their Petition for Special Action (Petitioner)
4. 8-Sep-2016 FILED: Notice of Receipt; Certificate of Good Standing; Verified Application; Original Order Granting PHV (Petitioner)
5. 8-Sep-2016 FILED: Order Setting Dates/petition set for am of 10/04/16 by Dept A, Judges Jones, Howe, Kessler
6. 8-Sep-2016 FILED: Petition for Special Action (Duplicate); Certificate of Compliance (Duplicate); Contact Information Sheet (Duplicate); Certificate of Service to Petitioners' Filing of Petition for Special Action (Duplicate) (Petitioner)
7. 9-Sep-2016 ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED. FURTHER ORDERED: Vacating this court's previous order requiring filing and service of a response. (Judges Jones, Howe, Kessler)
8. 12-Sep-2016 RECEIPT No.: 2016-01130 ; \$280.00, Authorization: #56003860678, Applied to: BARRY ATKINS - Class A Filing Fee (\$280.00) Paid for: Fleming Nolen Jez LLP - By Integrated Resource Systems IN
9. 12-Sep-2016 RECEIPT No.: 2016-01133 ; \$280.00, Authorization: #56003860678, Applied to: MISSY ATKINS - Class A Filing Fee (\$280.00) Paid for: Fleming Nolen Jez LLP - By Integrated Resource Systems IN
10. 14-Sep-2016 FILED: Email Notice from ASC re: Petition for Review filed 9/14/16; request for partial record
11. 14-Sep-2016 FILED: Letter forwarding partial record to Arizona Supreme Court
12. 15-Sep-2016 FILED: ASC Order filed 9/15/16 re: denying Request for Stay of Proceedings; Granting Motion to Associate Counsel Pro Hac Vice; granting motion and authorizing J Ken Johnson to appear Pro Hac Vice