

**Court of Appeals, Division One**  
**Tax Appeal**

**1 CA-TX 15-0006**

**SOUTH POINT v. ADOR/MOHAVE**

<b>Appellate Case Information</b> Case Filed: 9-Jul-2015 Case Closed:	<b>Dept/Composition</b> <b>Department C</b> Hon. Patricia A Orozco Hon. Peter B Swann Hon. Andrew W Gould
---	---

Consolidated with: 1 CA-TX 15-0005

**Side 1. SOUTH POINT ENERGY CENTER, LLC, Plaintiff/Appellant**  
**(Litigant Group) SOUTH POINT ENERGY CENTER LLC**

<ul style="list-style-type: none"> <li>South Point Energy Center LLC</li> </ul>	<b>Attorneys for: Plaintiff/Appellant</b> Patrick Derdenger, Esq. (AZ Bar No. 5874) Bennett Evan Cooper, Esq. (AZ Bar No. 10819) Dawn R Gabel, Esq. (AZ Bar No. 12719)
---	---

**Side 2. ARIZONA DEPARTMENT OF REVENUE, an agency of the State of Arizona; and MOHAVE COUNTY, a political subdivision of the State of Arizona, Defendant/Appellee**  
**(Litigant Group) ADOR/MOHAVE**

<ul style="list-style-type: none"> <li>Arizona Department of Revenue</li> <li>Mohave County</li> </ul>	<b>Attorneys for: Defendants/Appellees</b> Kenneth J Love, Esq. (AZ Bar No. 10986) Kimberly J Cygan, Esq. (AZ Bar No. 13977)
--	--

**CASE STATUS**

Nov 3, 2016.....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR TX2014-000451	Property Tax		Christopher T Whitten, Authoring Judge of Order		

**OPEN DUE DATE**

**Petition for Review to ASC due** **Due By:** Monday, December 5, 2016

*Re: OPINION (Vacated, Remanded) Hon Peter B Swann - Author; Hon Patricia A Orozco - Concur; Hon Andrew W Gould - Concur*

**PENDING MATTER**

**General Motion** Filed: 18-Nov-2016  
*Appellant's Verified Statement of Costs; Certificate of Service for Appellant's Verified Statement of Costs (Appellant)*

**CASE DECISION**

03-Nov-2016 <b>OPINION</b>	Peter Swann.....Author Patricia Orozco.....Concur Andrew Gould.....Concur	Filed: <b>03-Nov-2016</b> <span style="float:right">Mandate:</span> <table border="1" style="width:100%; text-align:center;"> <tr><td>Decision Disposition</td></tr> <tr><td><b>Vacated</b></td></tr> <tr><td><b>Remanded</b></td></tr> </table>	Decision Disposition	<b>Vacated</b>	<b>Remanded</b>
Decision Disposition					
<b>Vacated</b>					
<b>Remanded</b>					

**DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)**  
**1 CA-TX 15-0005 SOUTH POINT v. ADOR/MOHAVE**

**32 PROCEEDING ENTRIES**

1.	9-Jul-2015	FILED: Index of Record, Notice of Appeal Filed 6/11/15
2.	9-Jul-2015	FILED: e-Record on Appeal: Instruments/Minute Entries

**Court of Appeals, Division One**  
**Tax Appeal**

**1 CA-TX 15-0006**

**SOUTH POINT v. ADOR/MOHAVE**

**32 PROCEEDING ENTRIES**

3. 16-Jul-2015 FILED: Notice to Counsel re: Appellant's Fee/Brief due
4. 21-Jul-2015 FILED: Notice of Payment of Appellant's Filing Fee; Certificate of Service re Notice of Payment of Appellant's Filing Fee
5. 24-Jul-2015 RECEIPT No.: 2015-01024 ; \$280.00, Authorization: 04012471480, Applied to: SOUTH POINT ENERGY CENTER LLC - Class A Filing Fee (\$280.00) Paid for: Steptoe & Johnson LLP - By Integrated Resource Systems IN
6. 5-Aug-2015 FILED: Case Management Statement (Appellant)
7. 20-Aug-2015 FILED: Motion for a Procedural Order Consolidating Appeals; Certificate of Service re Motion for a Procedural Order Consolidating Appeals; Exhibit A; Exhibit B (Appellant)
8. 21-Aug-2015 FILED: Response to Motion for A Procedural Order Consolidating Appeals; Certificate of Service (Appellee)
9. 24-Aug-2015 FILED: Reply in Support of Motion for a Procedural Order Consolidating Appeals; Certificate of Service (Appellant)
10. 2-Sep-2015 ORDERED: Motion for a Procedural Order Consolidating Appeals; (Appellant) = GRANTED and consolidating cases 1 CA-TX 15-0005 and 1 CA-TX 15-0006. Case No. 1 CA-TX 15-0005 is designated primary number. FURTHER ORDERED: Denying appellees' request to exceed word limit in answering brief w/o prejudice to appellees filings a motion for leave to file an over-length answering brief at appropriate time. FURTHER ORDERED: Any attorneys' fees issues should be included in briefing and will be address by panel that considers this appeal on merits. FURTHER ORDERED; Opening brief is due on 9/14/15. Melina Brill ProTem Judge - Author
11. 14-Sep-2015 ORDERED: Appellant's Unopposed Motion for Procedural Order Extending the Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 09-14-2015 to Tuesday, 10-13-2015. Barbara Vidal Vaught ProTem Judge - Author
12. 13-Oct-2015 FILED: Appellant's Unopposed Motion for Procedural Order Further Extending the Time to File the Opening Brief; Certificate of Service re Appellant's Unopposed Motion for Procedural Order Further Extending the Time to File the Opening Brief (Appellant)
13. 15-Oct-2015 ORDERED: Appellant's Unopposed Motion for Procedural Order Further Extending the Time to File the Opening Brief; (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 10-13-2015 to Friday, 10-23-2015. Melina Brill ProTem Judge - Author
14. 23-Oct-2015 FILED: Appellant's Opening Brief; Certificate of Compliance for Appellant's Opening Brief; Certificate of Service for Appellant's Opening Brief
15. 23-Nov-2015 FILED: Motion for Procedural Order to Extend Deadline for Filing Answering Brief; Certificate of Service; Affidavit in Support of Motion for A Procedural Order for Extension of Time to File the Department's Answering Brief (Appellee)
16. 24-Nov-2015 ORDERED: Motion to Extend Deadline for Filing Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 12-07-2015 to Thursday, 01-14-2016. No further extension will be granted. Barbara Vidal Vaught ProTem Judge - Author
17. 14-Jan-2016 FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service
18. 7-Feb-2016 FILED: Appellant's Unopposed Motion for Procedural Order Extending the Time to File the Reply Brief; Certificate of Service re Appellant's Unopposed Motion for Procedural Order Extending the Time to File the Reply Brief (Appellant)
19. 8-Feb-2016 ORDERED: Appellant's Unopposed Motion for Procedural Order Extending the Time to File the Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-08-2016 to Wednesday, 03-09-2016. Barbara Vidal Vaught ProTem Judge - Author
20. 9-Mar-2016 FILED: Appellants' Request for Oral Argument; Certificate of Service for Request for Oral Argument (Appellant)
21. 9-Mar-2016 FILED: Appellant's Reply Brief; Certificate of Compliance for Appellant's Reply Brief; Certificate of Service for Appellant's Reply Brief
22. 29-Apr-2016 CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 6-8-16, 10:15 am, COURTROOM 2.
23. 6-May-2016 FILED: Memorandum: Judge Gould for Judge Thompson (Chief Judge Brown)
24. 6-May-2016 ORDERED: Appellants' Request for Oral Argument = GRANTED. Oral argument will be scheduled in the normal course of the court's civil appeals calendar, and the court will notify counsel of the date. Hon Michael J Brown - Author
25. 9-May-2016 FILED: Notice of Oral Argument

**Court of Appeals, Division One**

**Tax Appeal**

**1 CA-TX 15-0006**

**SOUTH POINT v. ADOR/MOHAVE**

**32 PROCEEDING ENTRIES**

26. 31-May-2016 FILED: Return Receipt for Notice of Oral Argument signed by Bennett Evan Cooper on 5/9/16; Certificate of Service for Return Receipt for Notice of Oral Argument (Appellant)
27. 31-May-2016 FILED: Return Receipt for Notice of Oral Argument signed by Kenneth J Love on 5/9/16; Certificate of Service (Appellees)
28. 8-Jun-2016 FILED: Sign-in Sheet/Case is Under Advisement (Dept C/T)
29. 21-Jun-2016 FILED: Appellant's Notice of Supplemental Authority; Certificate of Service for Appellant's Notice of Supplemental Authority
30. 3-Nov-2016 OPINION (Vacated, Remanded) Hon Peter B Swann - Author; Hon Patricia A Orozco - Concur; Hon Andrew W Gould - Concur
31. 3-Nov-2016 FILED: Opinion Distribution List
32. 18-Nov-2016 FILED: Appellant's Verified Statement of Costs; Certificate of Service for Appellant's Verified Statement of Costs (Appellant)