

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0202****FURST v. MAYNE, et al.****Appellate Case Information**

Case Filed: 11-Apr-2023

Case Closed:

Dept/Composition**Side 1. ROBERT G. FURST, Plaintiff/Appellee/Cross-Appellant****(Litigant Group) ROBERT G. FURST**

- Mr Robert G Furst
AZ Bar No. 7689
[Current Member]
Admitted 5/14/83

Attorneys for: Plaintiff/Appellee/Cross-Appellant

Todd Feltus, Esq. (AZ Bar No. 19076)

Daniel P Crane, Esq. (AZ Bar No. 30623)

Side 2. LINDA MAYNE, et al., Defendant/Appellant/Cross-Appellee**(Litigant Group) LINDA MAYNE, et al.**

- Linda Mayne
- Stephen Mayne

Attys for: Defendants/Appellants/Cross-Appellees

David L Abney, Esq. (AZ Bar No. 9001)

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2020-002498	Breach of Fiduciary Duty		M Scott McCoy, Authoring Judge of Order		

CALENDAR

Friday MOTION CALENDAR

12-Jul-2024 Department M;

File date: 6/7/2024..... * Motion to Strike Portions of Appellant's Reply Memorandum or, in the
Alternative, Motion for Leave to File Sur-Reply (Appellee/Cross-Appellant)

2 PENDING MATTERS**Div 1 Request for Oral Argument**

Filed: 14-May-2024

*Appellee's Request for Oral Argument (Appellee/Cross-Appellant)***General Motion**

Filed: 7-Jun-2024

* Motion to Strike Portions of Appellant's Reply Memorandum or, in the Alternative, Motion for Leave to File Sur-Reply
(Appellee/Cross-Appellant)

Scheduled: 12-Jul-2024

44 PROCEEDING ENTRIES

1.	3-Apr-2023	FILED: Notice of Cross-Appeal filed in Maricopa County Superior Court
2.	11-Apr-2023	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 03/13/23
3.	11-Apr-2023	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None sent with e-Record
4.	11-Apr-2023	FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 05/09/2022 - List # 1 3 5 6 7 8 11 13 14 16 19 20 21 28 29 31 33 34 35 38 41 43 48 49 50 52 53 54 58 60 62 63 75 76 77 78 79 80 82 83 87 88 89 90 91 94 95 99 100 103 105 106 107 109 110 111 117 118 119 120 121 130 131 132 133 134 136 141 142 143 144 145 147 148 150 151 153 in a box
5.	11-Apr-2023	FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
6.	25-Apr-2023	FILED: Reporter's Transcript - 05/09/2022 - Bench Trial (Michele Kaley); Reporter's Transcript - 05/10/2022 - Bench Trial (Michele Kaley); Reporter's Transcript - 05/11/2022 - Bench Trial (Michele Kaley); Reporter's Transcript - 05/12/2022 - Bench Trial (Michele Kaley) (Appellant)
7.	1-May-2023	RECEIPT No.: 2023-00400 ; \$280.00, Authorization: #21014216795, Applied to: LINDA MAYNE, et al. - Class A Filing Fee (\$280.00) Paid for: Taylor C Young - By nCourt LLC
8.	3-May-2023	FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
9.	15-May-2023	FILED: Appellees' Notice of Paying Filing Fee; Certificate of Service (Appellee)

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10.	17-May-2023	ORDERED: The case management statement must be filed by 05/30/2023. The opening brief remains due on 06/12/2023. If the statement and brief are not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
11.	19-May-2023	RECEIPT No.: 2023-00454 ; \$140.00, Authorization: 39004748050, Applied to: ROBERT G. FURST - Class B Filing Fee (\$140.00) Paid for: Lewis Roca Rothgerber Christie LLP - By nCourt LLC
12.	30-May-2023	FILED: Case Management Statement (Appellant)
13.	8-Jun-2023	FILED: Motion for Procedural Order Extending Time to File Opening Brief (First Request); Certificate of Service (Appellants)
14.	8-Jun-2023	ORDERED: Motion for Procedural Order Extending Time to File Opening Brief (First Request) (Appellants) = GRANTED. Due date EXTENDED from Monday, 06-12-2023 to Wednesday, 07-12-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
15.	10-Jul-2023	FILED: Motion for Procedural Order Extending Time to File Opening Brief (Second Request); Certificate of Service (Appellants)
16.	10-Jul-2023	ORDERED: Motion for Procedural Order Extending Time to File Opening Brief (Second Request) (Appellants) = GRANTED. Due date EXTENDED from Wednesday, 07-12-2023 to Friday, 08-11-2023. If the brief is not timely filed, the court will dismiss this appeal. Barbara Vidal Vaught ProTem Judge - Author
17.	8-Aug-2023	FILED: Motion for Procedural Order Extending Time to File Opening Brief (Third Request); Certificate of Service (Appellant)
18.	8-Aug-2023	ORDERED: Motion for Procedural Order Extending Time to File Opening Brief (Third Request) (Appellant) = GRANTED and extending the time to file the opening brief from 08/11/2023 to 08/28/2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
19.	28-Aug-2023	FILED: Motion to Withdraw and For Temporary Stay of Briefing Schedule; Certificate of Service (Appellant)
20.	28-Aug-2023	ORDERED: Motion to Withdraw and for Temporary Stay of Briefing Schedule (Appellant) = DENIED in its present form. Melina Brill ProTem Judge - Author
21.	28-Aug-2023	FILED: Amended Motion to Withdraw and for Temporary Stay of Briefing Schedule; Certificate of Service (Appellant)
22.	28-Aug-2023	ORDERED: Vacating the 08/28/2023 due date for the opening brief. The order ruling on the pending motion to withdraw will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
23.	13-Sep-2023	ORDERED: Amended Motion to Withdraw and for Temporary Stay of Briefing Schedule (Appellant) = GRANTED (Amended Motion to Withdraw). FURTHER ORDERED: The opening brief is due on 10/16/2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
24.	28-Sep-2023	FILED: Notice of Appearance of Attorney David L. Abney; Certificate of Service for Notice of Appearance of Attorney David L. Abney (Appellant)
25.	6-Oct-2023	FILED: Motion for Procedural Order to Extend Date for Opening Brief; Certificate of Service for Motion for Procedural Order to Extend Date for Opening Brief (Appellants)
26.	10-Oct-2023	ORDERED: Motion for Procedural Order to Extend Date for Opening Brief (Appellants) = GRANTED. Due date EXTENDED from Monday, 10-16-2023 to Monday, 11-13-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
27.	13-Nov-2023	FILED: Motion for Procedural Order to Extend Date for Opening Brief; Certificate of Service for Motion for Procedural Order to Extend Date for Opening Brief (Appellant)
28.	13-Nov-2023	ORDERED: Motion for Procedural Order to Extend Date for Opening Brief (Appellant) = GRANTED and extending the time to file the opening brief from 11/13/2023 to 11/20/2023. If the brief is not timely filed, the court will dismiss this appeal. Hon David B Gass - Author
29.	20-Nov-2023	FILED: Opening Brief; Certificate of Compliance for Opening Brief; Certificate of Service for Opening Brief (Appellant)
30.	6-Dec-2023	FILED: Notice of Errata in the Opening Brief; Certificate of Service for Notice of Errata in the Opening Brief (Appellant)
31.	22-Dec-2023	FILED: First Motion for Procedural Order Extending Time to File Answering Brief; Certificate of Service (Appellee/Cross-Appellant)
32.	22-Dec-2023	ORDERED: First Motion for Procedural Order Extending Time to File Answering Brief (Appellee/Cross-Appellant) = GRANTED. Due date EXTENDED from Tuesday, 01-02-2024 to Friday, 02-16-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Barbara Vidal Vaught ProTem Judge - Author
33.	27-Dec-2023	RECEIPT No.: 2023-01214 ; \$140.00, Authorization: # 61016573220, Applied to: ROBERT G. FURST - Class A Upgrade Fee (A-B) (\$140.00) Paid for: Lewis Roca Rothgerber Christie LLP - By nCourt LLC

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34.	5-Feb-2024	FILED: Second Motion for Procedural Order Extending Time to File Answering Brief; Certificate of Service (Appellee/Cross-Appellant)
35.	6-Feb-2024	ORDERED: Second Motion for Procedural Order Extending Time to File Answering Brief (Appellee/Cross-Appellant) = GRANTED. Due date EXTENDED from Friday, 02-16-2024 to Friday, 03-08-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
36.	8-Mar-2024	FILED: Appellee Robert G. Furst's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee/Cross-Appellant)
37.	12-Apr-2024	FILED: Unopposed Motion for Procedural Order to Extend Date for Filing Reply/Cross-Answering Brief; Certificate of Service for Unopposed Motion for Procedural Order to Extend Date for Filing Reply/Cross-Answering Brief (Appellants/Cross-Appellees)
38.	15-Apr-2024	ORDERED: Unopposed Motion for Procedural Order to Extend Date for Filing Reply/Cross-Answering Brief (Appellants/Cross-Appellees) = GRANTED in part. Due date EXTENDED from Wednesday, 04-17-2024 to Monday, 05-13-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
39.	13-May-2024	FILED: Reply Brief (Reply/Cross-Answering Brief); Certificate of Compliance for Reply Brief; Certificate of Service for Reply Brief (Appellant/Cross-Appellee)
40.	14-May-2024	FILED: Appellee's Request for Oral Argument; Certificate of Service (Appellee/Cross-Appellant)
41.	7-Jun-2024	FILED: Motion to Strike Portions of Appellant's Reply Memorandum or, in the Alternative, Motion for Leave to File Sur-Reply; Certificate of Service (Appellee/Cross-Appellant)
42.	21-Jun-2024	FILED: Response to Motion to Strike Portions of Appellants' Reply Memorandum or, in the Alternative, Motion for Leave to File Sur-Reply; Certificate of Service for Response to Motion to Strike Portions of Appellants' Reply Memorandum or, in the Alternative, Motion for Leave to File Sur-Reply (Appellants/Cross-Appellees)
43.	28-Jun-2024	FILED: Appellee's Reply In Support of Motion to Strike; Certificate of Service (Appellee/Cross-Appellant)
44.	1-Jul-2024	ORDERED: Deferring ruling on motion (motion to strike portions of reply brief) to the panel that considers this appeal on the merits. Steven C Lawrence ProTem Judge - Author