

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0237

DYREK v. DYREK

Appellate Case Information

Case Filed: 4-May-2023

Case Closed:

Dept/Composition

Department E

Hon. Anni Hill Foster
Hon. Brian Y Furuya
Hon. Randall M Howe

Side 1. BIJEN L. DYREK, Plaintiff/Appellant

(Litigant Group) BIJEN L. DYREK

- Bijen L Dyrek

Attorneys for: Plaintiff/Appellant

Bradley A Burns, Esq. (AZ Bar No. 30508)

Amanda E Newman, Esq. (AZ Bar No. 32462)

Side 2. CHRISTOPHER A. DYREK, Defendant/Appellee

(Litigant Group) CHRISTOPHER A. DYREK

- Christopher A Dyrek

Attorneys for: Defendant/Appellee

Helen R Davis, Esq. (AZ Bar No. 18309)

William M Demlong, Esq. (AZ Bar No. 12458)

Parker C Bunch, Esq. (AZ Bar No. 34126)

CASE STATUS

Feb 29, 2024....Under Advisement

| PREDECESSOR CASE (S) | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments> | Trial | Dispo |
|----------------------|------------------------------------|-------------------|---------------------------------------|-------|-------|
| MAR CV2022-001596 | Fraud, Negligent Misrepresentation | | Sara J Agne, Authoring Judge of Order | | |

CALENDAR

Thursday MONTHLY COURT CASE CALENDAR

29-Feb-2024 Department E; CONFERENCE ROOM

Mixed

30 PROCEEDING ENTRIES

| | | |
|-----|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | 4-May-2023 | FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/05/23 |
| 2. | 4-May-2023 | FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None |
| 3. | 4-May-2023 | FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due |
| 4. | 16-May-2023 | RECEIPT No.: 2023-00442 ; \$280.00, Check Number: #474095, Applied to: BIJEN L. DYREK - Class A Filing Fee (\$280.00) Paid for: - By Dickinson Wright PLLC |
| 5. | 22-May-2023 | FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due |
| 6. | 24-May-2023 | FILED: Case Management Statement (Appellant) |
| 7. | 26-May-2023 | RECEIPT No.: 2023-00472 ; \$140.00, Check Number: #105743, Applied to: CHRISTOPHER A. DYREK - Class B Filing Fee (\$140.00) Paid for: - By The Cavanagh Law Firm PA |
| 8. | 9-Jun-2023 | FILED: Motion for Procedural Order Extending Time to File Opening Brief; Certificate of Service (Appellant) |
| 9. | 9-Jun-2023 | ORDERED: Motion for Procedural Order Extending Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-03-2023 to Wednesday, 08-02-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author |
| 10. | 2-Aug-2023 | FILED: Unopposed Motion for Procedural Order to Seal Opening Brief and Appendix; Certificate of Service (Appellant) |
| 11. | 2-Aug-2023 | FILED: (1) Plaintiff/Appellant Opening Brief & Appendix to Opening Brief [SEALED] (Appellant) |
| 12. | 3-Aug-2023 | ORDERED: Unopposed Motion for Procedural Order to Seal Opening Brief and Appendix (Appellant) = GRANTED and accepting the opening brief and appendix as filed under seal on 08/02/2023, subject to access by court personnel as needed for processing this appeal. Hon David B Gass - Author |

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0237****DYREK v. DYREK****30 PROCEEDING ENTRIES**

13. 18-Aug-2023 FILED: Defendant/Appellee's Motion to Continue Deadline to File Answering Brief (First Request); Certificate of Service re: Defendant/Appellee's Motion to Continue Deadlines to File Answering Brief (Appellee)
14. 18-Aug-2023 ORDERED: Defendant/Appellee's Motion to Continue Deadline to File Answering Brief (First Request) (Appellee) = GRANTED and extending the time to file the answering brief from 09/11/2023 to 09/29/2023. 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
15. 29-Sep-2023 FILED: Unopposed Motion for Procedural Order to Seal Appellee's Answering Brief; Certificate of Service Regarding Appellee's Unopposed Motion for Procedural Order to Seal Appellee's Answering Brief (Appellee)
16. 29-Sep-2023 FILED: Appellee's Answering Brief Filed Under Seal; Certificate of Compliance Regarding Appellee's Answering Brief; Certificate of Service Regarding Appellee's Answering Brief and Unopposed Motion to Seal Answering Brief (Appellee)
[stricken per order filed 10/05/2023]
17. 3-Oct-2023 ORDERED: Unopposed Motion for Procedural Order to Seal Appellee's Answering Brief (Appellee) = DENIED without prejudice to appellee filing a new motion to seal in compliance with ARCAP 4.1(b). FURTHER ORDERED: Appellee shall notify the court by 10/13/2023 about whether to strike the 09/29/2023 answering brief. Hon David B Gass - Author
18. 4-Oct-2023 FILED: Unopposed Motion for Procedural Order to Seal Appellee's Answering Brief; Certificate of Service Regarding Appellee's Unopposed Motion for Procedural Order to Seal Appellee's Answering Brief (Appellee)
19. 4-Oct-2023 FILED: Appellee's Answering Brief Filed Under Seal (Appellee)
[see notice of supplemental authority for brief filed 12/19/2023]
20. 5-Oct-2023 ORDERED: Unopposed Motion for Procedural Order to Seal Appellee's Answering Brief (Appellee) = GRANTED and accepting the answering brief as filed under seal on 10/04/2023, subject to access by court personnel as needed for processing this appeal. FURTHER ORDERED: Striking the answering brief electronically filed on 09/29/2023. Hon David B Gass - Author
21. 9-Oct-2023 FILED: Unopposed Motion for Procedural Order Extending Time to File Reply Brief; Certificate of Service (Appellant)
22. 11-Oct-2023 ORDERED: Unopposed Motion for Procedural Order Extending Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Thursday, 10-19-2023 to Monday, 11-13-2023. 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
23. 13-Nov-2023 FILED: Unopposed Motion for Procedural Order to Seal Reply Brief; Certificate of Service Regarding Appellant's Unopposed Motion for Procedural Order to Seal Reply Brief (Appellant)
24. 13-Nov-2023 FILED: Reply Brief Filed Under Seal; Certificate of Compliance Regarding Plaintiff / Appellant's Reply Brief; Certificate of Service (Appellant) [SEALED]
25. 14-Nov-2023 FILED: Filing Under Seal Plaintiff/Appellant Reply Brief (SEALED) (Appellant)
26. 15-Nov-2023 ORDERED: Unopposed Motion for Procedural Order to Seal Reply Brief (Appellant) = GRANTED and accepting the reply brief as filed under seal on 11/13/2023, subject to access by court personnel as needed for processing this appeal. FURTHER ORDERED: Directing the clerk of this court to seal the reply brief electronically filed in this court on 11/13/2023. Hon David B Gass - Author
27. 28-Nov-2023 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
28. 8-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
29. 19-Dec-2023 FILED: Notice of Supplemental Authority; Certificate of Service Regarding Appellee's Notice of Supplemental Authority (Appellee)
30. 21-Dec-2023 CLNDR: CONFERENCE, Department E, 2-29-24, CONFERENCE ROOM.