

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0427

CARMINUCCI, et al. v. TRIMARK, et al.

Appellate Case Information

Case Filed: 11-Jul-2023

Case Closed:

Dept/Composition

Department E

Hon. Anni Hill Foster
Hon. Randall M Howe
Hon. David B Gass

Side 1. CHRIS CARMINUCCI, et al., Plaintiff/Appellant

(Litigant Group) CHRIS CARMINUCCI, et al.

- Chris Carminucci
- Lauren Carminucci

Co-Counsel for: Plaintiffs/Appellants

Donald G Yearin, Esq. (AZ Bar No. 13722)
David L Abney, Esq. (AZ Bar No. 9001)

Side 2. TRIMARK YUMA HOSPITALITY II, LLC, et al., Defendant/Appellee

(Litigant Group) TRIMARK YUMA HOSPITALITY II, LLC, et al.

- Trimark Yuma Hospitality II LLC

Attorneys for: Defendant/Appellee

John M Sticht, Esq. (AZ Bar No. 23484)
William A Nebeker, Esq. (AZ Bar No. 4919)

(Litigant Group) YUMA HOTEL GROUP II, LLC, et al.

- Yuma Hotel Group II LLC
- Sunridge Properties Inc

Attorneys for: Defendants/Appellees Yuma Hotel et al.

Ryan P Toftoy, Esq. (AZ Bar No. 20044)

CASE STATUS

Apr 12, 2024.....Under Advisement

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2021-001139	Premises Liability		Scott A Blaney, Authoring Judge of Order		

CALENDAR

Friday MONTHLY COURT CASE CALENDAR

CR Cases

12-Apr-2024 Department E; PRESCOTT HIGH SCHOOL, PRESCOTT

10:00 AM CHRIS CARMINUCCI, et al..... 20 mins.
TRIMARK YUMA HOSPITALITY II, LLC, et al..... 20 mins.
YUMA HOTEL GROUP II, LLC, et al..... (none)

24 PROCEEDING ENTRIES

- 11-Jul-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/12/23
- 11-Jul-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None
- 12-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 26-Jul-2023 FILED: Motion for Oral Argument; Certificate of Service for Motion for Oral Argument (Appellant)
- 26-Jul-2023 FILED: Reporter's Transcript - 02/10/2023 - Oral Argument on Motions for Summary Judgment (Michele Kaley) (Appellant)
- 1-Aug-2023 RECEIPT No.: 2023-00707 ; \$280.00, Authorization: #13012893183, Applied to: CHRIS CARMINUCCI, et al. - Class A Filing Fee (\$280.00) Paid for: David L Abney - By nCourt LLC
- 1-Aug-2023 FILED: Case Management Statement (Appellant)
- 4-Aug-2023 FILED: Appellate Clerk Notice re: Appellee's Fees; Appellant's Brief Due
- 16-Aug-2023 FILED: Notice of Appellee, Trimark Yuma Hospitality II LLC's, Paying of its Fee; Certificate of Service of Notice of Appellee, Trimark Yuma Hospitality II LLC's, Paying of its Fee (Appellee Trimark)
- 21-Aug-2023 RECEIPT No.: 2023-00787 ; \$140.00, Check Number: #25115, Applied to: YUMA HOTEL GROUP II, LLC, et al. - Class B Filing Fee (\$140.00) Paid for: Holloway Odegard & Kelly PC - By

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0427****CARMINUCCI, et al. v. TRIMARK, et al.****24 PROCEEDING ENTRIES**

11.	22-Aug-2023	RECEIPT No.: 2023-00798 ; \$140.00, Authorization: # 34012218366, Applied to: TRIMARK YUMA HOSPITALITY II, LLC, et al. - Class B Filing Fee (\$140.00) Paid for: Koeller Nebeker Carlson & Haluck LLP - By nCourt, LLC
12.	11-Sep-2023	FILED: Opening Brief; Certificate of Compliance for Opening Brief; Certificate of Service for Opening Brief (Appellant)
13.	23-Oct-2023	FILED: Appellees Yuma Hotel Group II, LLC and Sunridge Properties, Inc.'s Answering Brief; Certificate of Compliance for Answering Brief; Certificate of Service for Answering Brief (Appellee Yuma Hotel)
14.	23-Oct-2023	FILED: Defendant / Appellee Trimark Yuma Hospitality II, LLC's Answering Brief; Defendant / Appellee Trimark Yuma Hospitality II, LLC's Certificate of Compliance for its Answering Brief; Defendant / Appellee Trimark Yuma Hospitality II, LLC's Certificate of Service of its Answering Brief (Appellee Trimark)
15.	13-Nov-2023	FILED: Reply Brief; Certificate of Compliance for Reply Brief; Certificate of Service for Reply Brief (Appellant)
16.	28-Nov-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
17.	8-Dec-2023	ORDERED: Motion for Oral Argument (Appellant) = GRANTED. Hon David B Gass - Author
18.	8-Dec-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
19.	26-Feb-2024	CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 4-12-24, 10:00 am, PRESCOTT HIGH SCHOOL, PRESCOTT.
20.	26-Feb-2024	FILED: Notice of Oral Argument
21.	27-Feb-2024	FILED: Return Receipt Re Oral Argument, signed by David Abney, on 2/26/24 (Appellant)
22.	28-Feb-2024	FILED: Return Receipt for Notice of Oral Argument, signed by John Sticht on 02/26/2024 (Appellee Trimark)
23.	29-Feb-2024	FILED: Return Receipt for Notice of Oral Argument, signed by Ryan Toftoy on 02/26/2024 (Appellee Yuma Hotel)
24.	16-Apr-2024	FILED: Sign-in Sheet/Case is Under Advisement as of 04/12/2024