

# Court of Appeals, Division One

## Civil Appeal

**1 CA-CV 23-0566**

**REILLY, et al. v. MAYO CLINIC**

### Appellate Case Information

Case Filed: 14-Sep-2023

Case Closed:

### Dept/Composition

#### Department A

Hon. Angela K Paton  
Hon. Michael S Catlett  
Hon. James B Morse

### Side 1. MICHAEL JOSEPH REILLY, et al., Plaintiff/Appellant

(Litigant Group) MICHAEL JOSEPH REILLY, et al.

- Michael Joseph Reilly
- Melissa Jan Reilly

#### Attorneys for: Plaintiffs/Appellants

Elliot G Wolfe, Esq. (AZ Bar No. 5521)

### Side 2. MAYO CLINIC ARIZONA, Defendant/Appellee

(Litigant Group) MAYO CLINIC ARIZONA

- Mayo Clinic Arizona

#### Attorneys for: Defendant/Appellee

Robert H Feinberg, Esq. (AZ Bar No. 15059)

Derek Flint, Esq. (AZ Bar No. 34392)

Colin P Ahler, Esq. (AZ Bar No. 23879)

### CASE STATUS

May 16, 2024...Decision Rendered

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2018-000020	Hospital Malpractice		Randall H Warner, Authoring Judge of Order		

### 2 OPEN DUE DATES

#### Motion for Reconsideration due

Due By:

Friday, May 31, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Michael S Catlett - Author; Hon Angela K Paton - Concur; Hon James B Morse Jr. - Concur

#### Petition for Review to ASC due

Due By:

Monday, June 17, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Michael S Catlett - Author; Hon Angela K Paton - Concur; Hon James B Morse Jr. - Concur

### CASE DECISION

#### 16-May-2024 MEMORANDUM DECISION

Michael Catlett.....Author  
Angela Paton.....Concur  
James Morse.....Concur

Filed: 16-May-2024

Mandate:

Decision Disposition

**Affirmed**

### 27 PROCEEDING ENTRIES

- 14-Sep-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 08/17/23
- 14-Sep-2023 FILED: e-Record on Appeal:  
Instruments/Minute Entries  
Exhibits: None
- 14-Sep-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 25-Sep-2023 FILED: Notice of Payment of Appellants' Filing Fee; Certificate of Service (Appellant)
- 29-Sep-2023 RECEIPT No.: 2023-00924 ; \$280.00, Authorization: #72010473955, Applied to: MICHAEL JOSEPH REILLY, et al. - Class A Filing Fee (\$280.00) Paid for: Palumbo Wolfe & Palumbo PC - By nCourt LLC
- 4-Oct-2023 FILED: Case Management Statement; Exhibit 1 (Copy of Maricopa County Superior Court Order filed 07/24/2023); Exhibit 2 (Copy of Maricopa County Superior Court ME dated 07/20/2023 re: Motion for New Trial and Sanctions) (Appellant)
- 4-Oct-2023 FILED: Certificate of Service (Appellant)

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 23-0566****REILLY, et al. v. MAYO CLINIC****27 PROCEEDING ENTRIES**

8.	6-Oct-2023	FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
9.	9-Oct-2023	FILED: Notice of Filing Transcripts; Certificate of Service (Appellee)
10.	9-Oct-2023	FILED: (Reporter's Transcript - 05/01/2023 - Proceedings (Michaela Davis)) (Reporter's Transcript - 05/02/2023 - Proceedings (Michaela Davis)) (Appellee)
11.	9-Oct-2023	FILED: Reporter's Transcript - 05/03/2023 - Proceedings (Jennifer Honn) (Appellee)
12.	9-Oct-2023	FILED: Reporter's Transcript - 05/04/2023 - Proceedings (Michaela Davis) (Appellee)
13.	13-Oct-2023	RECEIPT No.: 2023-00962 ; \$140.00, Authorization: # 86012243353, Applied to: MAYO CLINIC ARIZONA - Class B Filing Fee (\$140.00) Paid for: Robert H Feinberg - By nCourt LLC
14.	17-Oct-2023	FILED: Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court; Certificate of Service; Exhibit 1 (To Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court) (Appellant)
15.	18-Oct-2023	ORDERED: Vacating the 11/13/2023 due date for the opening brief. The order ruling on the pending motion will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
16.	20-Oct-2023	FILED: Response in Opposition to Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court; Certificate of Service; Exhibit A (To Response in Opposition to Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court) (Appellee)
17.	27-Oct-2023	FILED: Plaintiffs' Reply to Defendant's Response to Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court; Certificate of Service; Exhibit 1 (To Plaintiffs' Reply to Defendant's Response to Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court) (Appellant)
18.	31-Oct-2023	ORDERED: Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court (Appellant) = DENIED in its present form. FURTHER ORDERED: The opening brief is due on 11/30/2023. Hon Randall M Howe - Author
19.	30-Nov-2023	FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
20.	8-Jan-2024	FILED: Appellee's Answering Brief; Certificate of Compliance to Appellee's Answering Brief; Certificate of Service to Appellee's Answering Brief and Appendix (Appellee)
21.	8-Jan-2024	FILED: Appendix to Appellee's Answering Brief (Appellee)
22.	29-Jan-2024	FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
23.	28-Feb-2024	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
24.	7-Mar-2024	FILED: Supplemented Superior Court e-Record with Revised Index of Record
25.	26-Mar-2024	CLNDR: CONFERENCE, Department A, 4-30-24, CONFERENCE ROOM.
26.	16-May-2024	MEMORANDUM DECISION (Affirmed) Hon Michael S Catlett - Author; Hon Angela K Paton - Concur; Hon James B Morse Jr. - Concur
27.	16-May-2024	FILED: Decision Distribution Notification