

Court of Appeals, Division One**Civil - Family Court****1 CA-CV 23-0667 FC****ROSENBAUM v. LOVELY****Appellate Case Information**

Case Filed: 25-Oct-2023

Case Closed:

Dept/Composition**Department D**Hon. Samuel A Thumma
Hon. Jennifer B Campbell
Hon. Michael J Brown

Consolidated with:

1 CA-CV 23-0407 FC**Side 1. In re the Matter of:****TODD A. ROSENBAUM, Petitioner/Appellee****(Litigant Group) TODD A. ROSENBAUM**

- Todd Rosenbaum

Attorneys for: Petitioner/Appellee

Jennifer G Gadow, Esq. (AZ Bar No. 16186)

Stephen Roy Smith, Esq. (AZ Bar No. 16030)

Christopher Torrenzano, Esq. (AZ Bar No. 36357)

Side 2. MARJORIE K. LOVELY, Respondent/Appellant**(Litigant Group) MARJORIE K. LOVELY**

- Marjorie K Lovely

Attorneys for: Respondent/Appellant

Christina S Hamilton, Esq. (AZ Bar No. 9861)

CASE STATUS

Apr 26, 2024....Assigned

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	FN2020-097598	Order Denying ARFLP 85 Motion		Glenn A Allen, Authoring Judge of Order		

32 PROCEEDING ENTRIES

1.	25-Oct-2023	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/26/23 and Notice of Appeal from Maricopa County Superior Court filed 12/18/23 and 12/22/23 in the supplemental record.				
2.	25-Oct-2023	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: Hearing Date 8/6/21 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18 Hearing Date 7/14/22 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 24, 26, 30 Hearing Date 11/17/22 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 60, 61, 65, 66, 68, 73, 74, 78, 81, 82, 83, 87, 88, 90, 91				
3.	26-Oct-2023	FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due				
4.	1-Nov-2023	RECEIPT No.: 2023-01031 ; \$280.00, Check Number: #107032, Applied to: MARJORIE K. LOVELY - Class A Filing Fee (\$280.00) Paid for: The Cavanagh Law Firm PA - By The Cavanagh Law Firm PA				
5.	2-Nov-2023	FILED: Respondent/Appellant's Notice of Transcript; Certificate of Service of Respondent/Appellant's Notice of Transcript (Appellant)				
6.	2-Nov-2023	FILED: Respondent/Appellant's Notice of Filing Transcript (Reporter's Transcript - 11/17/2022 - Trial (Kimberly McCright)); Certificate of Service of Respondent/Appellant's Notice of Filing Transcript (Appellant)				
7.	2-Nov-2023	FILED: Case Management Statement (Appellant)				
8.	2-Nov-2023	FILED: Certificate of Service of Respondent/Appellant's Case Management Statement (Appellant)				
9.	6-Nov-2023	FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due				
10.	8-Nov-2023	FILED: Notice of Appearance for Petitioner/Appellee; Certificate of Service of Notice of Appearance for Petitioner/Appellee (Appellee)				
11.	9-Nov-2023	FILED: Respondent/Appellant's Notice of Filing Exhibit 92; Certificate of Service of Respondent/Appellant's Notice of Filing Exhibit 92 (Appellant)				

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12. 14-Nov-2023 RECEIPT No.: 2023-01068 ; \$140.00, Authorization: # 18015279088, Applied to: TODD A. ROSENBAUM - Class B Filing Fee (\$140.00) Paid for: Fromm Smith & Gadow PC - By nCourt LLC
13. 16-Nov-2023 ORDERED: Consolidating cases 1 CA-CV 23-0407 FC and 1 CA-CV 23-0667 FC. FURTHER ORDERED: Staying this appeal until 12/18/23. FURTHER ORDERED: Revesting jurisdiction in in the Maricopa County Superior Court and authorizing that court to consider a motion for signed judgment with Rule 78(c) language corresponding to the May 15, 2023 judgement for attorneys fees and costs. During the stay, the superior court may consider the Rule 85 motion for relief from judgement filed 7/10/23. FURTHER ORDERED: the stay will be lifted automatically on 12/18/23 unless before that date appellant files a motion to continue the stay of this appeal. FURTHER ORDERED: within 10 days after superior court rules on motions, appellant must file a notice in this court with the rulings attached. FURTHER ORDERED: appellant shall file a statue report by 12/18/23 if a notice pursuant to the previous paragraph is not filed before that date. FURTHER ORDERED: if appellant wishes to pursue the appeal from the ruling on the Rule 85 motions, she must file a timely notice of appeal from that ruling. FURTHER ORDERED vacating the 11/27/23 due date for the reply brief in 1 CA-CV 23-0407 FC and the 12/26/23 due date for the opening brief in 1 CA-CV 23-0667 FC. After this court receives the rulings on the motions and any subsequent notices of appeal, the court will address the briefing schedule. Hon Michael J Brown - Author
14. 11-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
15. 15-Dec-2023 ORDERED: Continuing the stay of this appeal until 01/08/2024, to allow the superior court to consider a motion for a signed judgment with Rule 78(c) language corresponding to the judgment for attorney fees and costs. FURTHER ORDERED: If appellant wishes to pursue appeal 1 CA-CV 23-0667 FC, she must file a timely notice of appeal from the 11/29/2023 ruling on that motion. If a timely notice of appeal is filed, appellant shall file a copy of the notice of appeal in this court within 10 days. Melina Brill ProTem Judge - Author
16. 22-Dec-2023 FILED: Respondent/Appellant's Notice of Appeal (Courtesy Copy); Certificate of Service of Respondent/Appellant's Notice of Appeal (Appellant)
17. 22-Dec-2023 FILED: Respondent Appellant's Notice of Filing Order; Certificate of Service of Respondent/Appellant's Notice of Filing Order (Appellant)
18. 29-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
19. 2-Jan-2024 ORDERED: Lifting the stay of this consolidated appeal. FURTHER ORDERED: The opening brief pertaining to appeal 1 CA-CV 23-0667 FC, the denial of the Rule 85 motion, is due on 02/16/2024. FURTHER ORDERED: The reply brief for appeal 1 CA-CV 23-0407 FC shall be due within 20 days after service of the answering brief in 1 CA-CV 23-0667 FC. Appellant may file one consolidated reply brief to both appeals but is not required to. Melina Brill ProTem Judge - Author
20. 17-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
21. 19-Jan-2024 FILED: Respondent/Appellant's Opening Brief; Certificate of Compliance for Respondent/Appellant's Opening Brief; Certificate of Service of Respondent/Appellant's Opening Brief (Appellant)
22. 28-Feb-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service of Appellee's Answering Brief (Appellee)
23. 19-Mar-2024 FILED: Respondent/Appellant's Reply to Petitioner/Appellee's Answering Brief; Certificate of Compliance of Respondent/Appellant's Reply to Petitioner/Appellee's Answering Brief; Certificate of Service of Respondent/Appellant's Reply to Petitioner/Appellee's Answering Brief (Appellant)
24. 21-Mar-2024 FILED: Respondent/Appellant's Notice of Request for Oral Argument; Certificate of Service of Respondent/Appellant's Notice of Request for Oral Argument (Appellant)
25. 5-Apr-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
26. 10-Apr-2024 ORDERED: Respondent/Appellant's Notice of Request for Oral Argument (Appellant) = GRANTED. Hon David B Gass - Author
27. 15-Apr-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
28. 26-Apr-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 6-5-24, 09:30 am, COURTROOM 2.
29. 26-Apr-2024 FILED: Notice of Oral Argument
30. 8-May-2024 ORDERED: Motion to Continue Oral Argument Set for June 5, 2024 at 9:30 A.M (Appellant) = Vacating the conference and the oral argument scheduled for 06/05/2024 at 9:30 a.m. and rescheduling the conference and the oral argument for 06/11/2024, at 9:00 a.m. before Department D, Courtroom #2. Hon Samuel A Thumma - Author
31. 13-May-2024 FILED: Motion to Continue Oral Argument; Certificate of Service of Appellee's Motion to Continue Oral Argument (Appellee)
32. 14-May-2024 ORDERED: Motion to Continue Oral Argument (Appellee) = Vacating oral argument previously set for 06/11/2024, at 9:00 a.m. and accelerating conference from 06/11/2024, to 06/05/2024. The case will be conferenced on 06/05/2024, without oral argument, and a decision will be issued in due course. FURTHER ORDERED: Motion to Continue Oral Argument (Appellee) = DENIED as moot. Hon Samuel A Thumma - Author

Court of Appeals, Division One

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