

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0689****BROWN, et al. v. PHOENIX****Appellate Case Information**

Case Filed: 2-Nov-2023

Case Closed:

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

Consolidated with: 1 CA-CV 23-0273

Side 1. FREDDY BROWN, et al., Plaintiff/Appellee**(Litigant Group) FREDDY BROWN, et al.**

- Freddy Brown
- Joel Coplin
- Jo Ann Coplin
- Joseph Faillace
- Deborah Faillace
- Karl Freund
- Gallery 119
- Michael Godbehere
- Jordan Evan Greenman
- Rozella Hector
- Daniel Langmade
- Dianne Langmade
- Ian Likwarz
- Matthew Lysiak
- Michael Lysiak
- Old Station Sub Shop
- PBF Manufacturing Co Inc
- Phoenix Kitchens SPE LLC
- Don Stockman

Attorneys for: Plaintiff/Appellee

Stephen W Tully, Esq. (AZ Bar No. 14076)

Michael G Bailey, Esq. (AZ Bar No. 13747)

Ilan Wurman, Esq. (AZ Bar No. 34974)

Side 2. CITY OF PHOENIX, Defendant/Appellant**(Litigant Group) CITY OF PHOENIX**

- City of Phoenix

Attorneys for: Defendant/Appellant

Justin S Pierce, Esq. (AZ Bar No. 22646)

Aaron D Arnson, Esq. (AZ Bar No. 31322)

Trish Stuhan, Esq. (AZ Bar No. 27218)

Stephen B Coleman, Esq. (AZ Bar No. 21715)

CASE STATUS

Apr 26, 2024.....Assigned

PREDECESSOR CASE(S)

Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2022-010439 Declaratory Judgment		Scott A Blaney, Authoring Judge of Order		

23 PROCEEDING ENTRIES

1. 2-Nov-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/04/23

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0689****BROWN, et al. v. PHOENIX****23 PROCEEDING ENTRIES**

2. 2-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 2-Nov-2023 FILED: Appellate Clerk Notice re: No Appellant's Fee Due/Appellee's Fee; Appellant's Brief/Case Management Statement Due
4. 2-Nov-2023 FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 10/27/2022- Transmitted Under 1 CA-CV 23-0273; Hearing Date 07/10/2023 - List # 1 2 3 4 5 6 7 8 9 10 11 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 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 - in a Box
5. 8-Nov-2023 FILED: Notice of Filing Transcripts; Certificate of Service; Reporter's Transcript - 07/10/2023 - Trial Day 1 - Bench Trial (Kristine Mayo); Reporter's Transcript - 07/11/2023 - Bench Trial (Michele Kaley) (Appellant)
6. 9-Nov-2023 ORDERED: Notice of New Case Number Pursuant to Court's Order Granting Case Consolidation (Appellant) = Lifting the stay of appeal 1 CA-CV 23-0273. FURTHER ORDERED: Consolidating cases 1 CA-CV 23-0273 and 1 CA-CV 23-0689. Case no. 1 CA-CV 23-0273 is designated the primary number, and the above caption must be used on all future documents filed in this appeal. FURTHER ORDERED: Appellees' filing fee of \$140.00 for appeal 1 CA-CV 23-0689, payable to the clerk of the court, is due on 11/17/2023. FURTHER ORDERED: The opening brief pertaining to appeal 1 CA-CV 23-0689 is due on 01/02/2024. Melina Brill ProTem Judge - Author
7. 15-Nov-2023 FILED: Notice of Paying Filing Fee (for CV 23-0689); Certificate of Service (Appellee)
8. 22-Nov-2023 RECEIPT No.: 2023-01093 ; \$140.00, Authorization: # 26007882160, Applied to: FREDDY BROWN, et al. - Class B Filing Fee (\$140.00) Paid for: Tully Bailey LLP - By nCourt LLC
9. 22-Nov-2023 FILED: Case Management Statement; Copy of Maricopa County Superior Court ME dated 10/03/2023 re: Under Advisement Ruling; Copy of Maricopa County Superior Court Order dated 11/19/2023 re: Judgment (Appellant)
10. 22-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
11. 2-Jan-2024 FILED: Opening Brief of Defendant/Appellant (for 1 CA-CV 23-0689); Certificate of Compliance; Certificate of Service (Appellant)
12. 2-Jan-2024 FILED: Appendix (to Opening Brief of Defendant/Appellant (for 1 CA-CV 23-0689)) (Appellant)
13. 9-Feb-2024 FILED: Answering Brief of Plaintiffs-Appellees (for 1 CA-CV 23-0689); Certificate of Compliance; Certificate of Service (Appellee)
14. 27-Feb-2024 FILED: Appellant City of Phoenix's Unopposed Motion for Procedural Order to Extend Time to File Reply Brief (for 1 CA-CV 23-0689); Certificate of Service (Appellant)
15. 27-Feb-2024 ORDERED: Appellant City of Phoenix's Unopposed Motion for Procedural Order to Extend Time to File Reply Brief (for 1 CA-CV 23-0689) (Appellant) = GRANTED. Due date EXTENDED from Thursday, 02-29-2024 to Tuesday, 03-05-2024. Melina Brill ProTem Judge - Author
16. 5-Mar-2024 FILED: Reply Brief of Defendant/Appellant (for 1 CA-CV 23-0689); Certificate of Compliance; Certificate of Service (Appellant)
17. 15-Mar-2024 FILED: Request for Oral Argument; Certificate of Service (Appellee)
18. 27-Mar-2024 ORDERED: Request for Oral Argument (Appellee) = GRANTED. Hon David B Gass - Author
19. 4-Apr-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
20. 15-Apr-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
21. 26-Apr-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 6-5-24, 10:15 am, COURTROOM 2.
22. 26-Apr-2024 FILED: Notice of Oral Argument
23. 8-May-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Ilan Wurman on 04/26/2024 (Appellee)