

Court of Appeals, Division One**Civil-Election Appeal-ARCAP 8.1****1 CA-CV 23-0698 EL****VOICE et al. v. HALL et al.****Appellate Case Information**

Case Filed: 7-Nov-2023

Case Closed: 27-Mar-2024

Decision

Dept/Composition**Department F**

Hon. Kent E Cattani

Hon. Anni Hill Foster

Hon. Daniel J Kiley

Side 1. VOICE OF SURPRISE, et al., Plaintiff/Appellant/Cross-Appellee**(Litigant Group) VOICE et al.**

- Voice of Surprise
- Quintus Schulzke

Attorneys - Plaintiffs/Appellants/Cross-Appellees

Timothy A LaSota, Esq. (AZ Bar No. 20539)

Side 2. SKIP HALL, et al., Defendant/Appellee**(Litigant Group) SKIP HALL, et al.**

- Skip Hall
- Patrick Duffy
- Chris Judd
- Kristi Passarelli
- Nick Haney
- Aly Cline
- Jack Hastings
- Ken Remley
- City of Surprise

Attorneys for: Defendants/Appellees Hall et al.

Robert W Wingo, Esq. (AZ Bar No. 23534)

Melinda A Bird, Esq. (AZ Bar No. 13163)

(Litigant Group) TRUMAN

- Truman Ranch 46 SWC LLC

Attorneys for: Defenant/Appellee Truman

Jeffrey D Gross, Esq. (AZ Bar No. 11510)

Michael W Zimmerman, Esq. (AZ Bar No. 27442)

Side 3. DOMINIUM INC., Defendant/Appellee/Cross-Appellant**(Litigant Group) DOMINIUM**

- Dominion Inc

Attorneys - Def/Appellee/Cross-Appellant Dominion

Cameron C Artigue, Esq. (AZ Bar No. 11376)

Jacqueline Marzocca, Esq. (AZ Bar No. 37140)

Side 4. LEAGUE OF AZ CITIES AND TOWNS, Amicus Curiae**(Litigant Group) LEAGUE OF AZ CITIES AND TOWNS**

- League of Arizona Cities and Towns

Attorney for: Amicus Curiae League of AZ Cities

Nancy L Davidson, Esq. (AZ Bar No. 29991)

CASE STATUS

Mar 27, 2024....Case Closed

PREDECESSOR CASE (S)

MAR CV 2022-013360

Cause/Charge/Class**Judgment/Sentence****Judge, Role <Comments>**Christopher A Coury,
Authoring Judge of Order**Trial****Dispo****DESCENDENT CASE (S)**

ASC CV-24-0024-PR

Court of Appeals, Division One
Civil-Election Appeal-ARCAP 8.1

1 CA-CV 23-0698 EL

VOICE et al. v. HALL et al.

CASE DECISION

31-Jan-2024 OPINION

Kent Cattani.....Author
Anni Foster.....Concur
Daniel Kiley.....Concur

Filed: 31-Jan-2024	Mandate: 27-Mar-2024
Decision Disposition	
<i>Affirmed</i>	

36 PROCEEDING ENTRIES

1. 7-Nov-2023 FILED: Request to Set an Initial Scheduling Conference; Notice of Filing of Notice of Appeal and Designating this Matter an Expedited Election Matter; Notification of Designation of Transcript; Certificate of Service; Notice of Appeal; Final Judgment (Appellant)
2. 7-Nov-2023 FILED: Appellate Clerk Notice re: Appellee's Fees Due
3. 7-Nov-2023 FILED: Truman Ranch 46 SWC LLC's Notice of Paying Filing Fee; Certificate of Service (Appellee Truman Ranch)
4. 8-Nov-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: Hearing Date 11/2/22 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23
5. 8-Nov-2023 FILED: Letter, 11/08/2023, from Appellee Dominion to COA1 re: Payment of Appellee's Filing Fee (Appellee Dominion)
6. 13-Nov-2023 RECEIPT No.: 2023-01059 ; \$280.00, Authorization: # 14012406692, Applied to: VOICE et al. - Class A Filing Fee (\$280.00) Paid for: Timothy A La Sota PLC - By nCourt LLC
7. 14-Nov-2023 FILED: Memorandum: Judge Kiley for Judge Campbell (Chief Judge Gass)
8. 14-Nov-2023 RECEIPT No.: 2023-01066 ; \$140.00, Authorization: # 18015279088, Applied to: DOMINIUM - Class B Filing Fee (\$140.00) Paid for: Gammage & Burnham PLC - By nCourt LLC
9. 15-Nov-2023 ORDERED: FILED: Request to Set an Initial Scheduling Conference (Appellant) = Accordingly, the deadlines for briefing are as follows:
 - Opening Brief on Appeal: 12/01/2023
 - Answering Briefs on Appeal, and Opening Brief on Cross-Appeal: 12/11/2023
 - Reply Brief on Appeal, and Answering Brief on Cross-Appeal: 12/18/2023
 - Reply Brief on Cross-Appeal: 12/28/2023Oral argument is set for January 17, 2024 at 2:00 p.m. in Courtroom 1. Hon Kent E Cattani - Author
10. 16-Nov-2023 RECEIPT No.: 2023-01073 ; \$140.00, Authorization: #20010998153, Applied to: TRUMAN - Class B Filing Fee (\$140.00) Paid for: Berry Riddell LLC - By nCourt LLC
11. 16-Nov-2023 FILED: Return Receipt for Notice of Oral Argument, signed by Jeffrey Gross on 11/15/2023 (Appellee Truman Ranch)
12. 20-Nov-2023 FILED: Return Receipt for Notice of Oral Argument, signed by Melinda Bird on 11/15/2023 (Appellee Hall, et al.)
13. 20-Nov-2023 FILED: Return Receipt for Notice of Oral Argument, signed by Timothy La Sota on 11/15/2023 (Appellant)
14. 20-Nov-2023 FILED: Reporter's Transcript - 10/11/2023 - Oral Argument (Cathy Kleinbart) (Appellant)
15. 21-Nov-2023 FILED: Return Receipt for Notice of Oral Argument, signed by Jacqueline Marzocca on 11/15/2023 (Appellee Dominion)
16. 27-Nov-2023 FILED: Notice of Oral Argument
17. 28-Nov-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Including Notice of Cross-Appeal filed 11/07/2023)
18. 1-Dec-2023 FILED: Opening Brief Of Plaintiffs-Appellants; Certificate Of Complaine [sic] Opening Brief; Opening Brief—Certificate Of Service (Appellant)
19. 1-Dec-2023 FILED: Brief Of Amicus Curiae League Of Arizona Cities And Towns In Support Of Appellees; Certificate of Compliance; Certificate of Service (Amicus Curiae League of Arizona Cities and Towns)
20. 11-Dec-2023 FILED: Plaintiffs-Appellants' Response to Amicus Curiae Brief of League of Arizona Cities and Towns; Certificate of Compliance Response to Amicus Brief; Response to Amicus—Certificate of Service (Appellant)

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21.	11-Dec-2023	FILED: Answering Brief of Defendants/Appellees Hall, Duffy, Judd, Kristi Passarelli (Substituted for Sherry Aguilar), Nick Haney (Substituted for Roland F. Winters, Jr.), Cline, Hastings, Remley and City of Surprise; Certificate of Compliance of Answering Brief of Defendants/Appellees Hall, Duffy, Judd, Cline, Remley, Nick Haney (Substituted for Roland F. Winters, Jr.), Kristi Passarelli (Substituted for Sherry Aguilar) and City of Surprise; Certificate of Service of Answering Brief of Defendants/Appellees Hall, Duffy, Judd, Cline, Remley, Nick Haney (Substituted for Roland F. Winters, Jr.), Kristi Passarelli (Substituted for Sherry Aguilar) and City of Surprise (Appellee Hall, et al.)
22.	11-Dec-2023	FILED: Answering Brief and Opening Brief on Cross-Appeal by Dominion, Inc.; Certificate of Compliance for Answering Brief and Opening Brief on Cross-Appeal by Dominion, Inc.; Certificate of Service for Answering Brief and Opening Brief on Cross-Appeal by Dominion, Inc. (Appellee Dominion)
23.	11-Dec-2023	FILED: Notice of Errata; Certificate of Service of Notice of Errata and Corrected Answering Brief Defendants/Appellees Hall, Duffy, Judd, Cline, Remley, Nick Haney (Substituted for Roland F. Winters, Jr.), Kristi Passarelli (Substituted for Sherry Aguilar) and City of Surprise; Answering Brief of Defendants/Appellees Hall, Duffy, Judd, Kristi Passarelli (substituted for Sherry Aguilar), Nick Haney (Substituted for Roland F. Winters, Jr.), Cline, Hastings, Remley and City of Surprise (Amended Answering/Cross-Opening Brief) (Appellee Hall, et al.)
24.	11-Dec-2023	FILED: Answering Brief of Truman Ranch 46 SWC LLC; Certificate of Compliance; Certificate of Service (Appellee Truman Ranch)
25.	18-Dec-2023	FILED: Plaintiffs-Appellants' Reply to Surprise's Answering Brief; Certificate of Compliance Reply Brief-Surprise; Reply Brief Certificate of Service (Appellant)
26.	18-Dec-2023	FILED: Plaintiffs-Appellants' Reply to Truman Ranch's Answering Brief; Certificate of Compliance Reply Brief-Truman Ranch; Reply Brief Certificate of Service (Appellant)
27.	18-Dec-2023	FILED: Plaintiffs-Appellants [sic] Answering Brief to Dominion's Cross Appeal/Reply Brief to Dominion's Answering Brief; Certificate of Compliance Answering Brief; Answering/Reply Brief Certificate of Service (Appellant)
28.	28-Dec-2023	FILED: Reply Brief on Cross-Appeal; Certificate of Compliance for Reply Brief on Cross-Appeal by Dominion, Inc.; Certificate of Service for Reply Brief on Cross-Appeal by Dominion, Inc. (Appellee Dominion)
29.	18-Jan-2024	FILED: Sign-in Sheet/Case is Under Advisement as of 01/17/2024
30.	24-Jan-2024	RECEIPT No.: 2024-00068 ; \$140.00, Authorization: #24009280306, Applied to: DOMINIUM - Class A Upgrade Fee (A-B) (\$140.00) Paid for: Gammage & Burnham PLC - By nCourt LLC
31.	31-Jan-2024	FILED: Decision Distribution Notification
32.	31-Jan-2024	OPINION (Affirmed) Hon Kent E Cattani - Author; Hon Anni Hill Foster - Concur; Hon Daniel J Kiley - Concur
33.	8-Feb-2024	FILED: Email Notice from ASC re: Petition for Review filed 02/08/2024; request for partial record
34.	9-Feb-2024	FILED: Letter forwarding partial record to Arizona Supreme Court
35.	5-Mar-2024	FILED: Letter from ASC, 03/05/2024, re: Petition for Review DENIED on 03/05/2024. FURTHER ORDERED: Request for Attorneys' Fees (Appellants Voice et al.) = DENIED.
36.	27-Mar-2024	FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.