

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0710

ACCORD, et al. v. FEDEX

Appellate Case Information

Case Filed: 9-Nov-2023

Case Closed:

Dept/Composition

Side 1. ACCORD TRUCKING, INC., et al., Plaintiff/Appellant

(Litigant Group) ACCORD TRUCKING INC

- Accord Trucking Inc
- Susan R Hogan

Attorneys for: Plaintiffs/Appellants

Gregory G McGill, Esq. (AZ Bar No. 11020)

Ryan McGill, Esq. (AZ Bar No. 36456)

Side 2. FEDEX GROUND PACKAGE SYSTEM, INC., Defendant/Appellee

(Litigant Group) FEDEX GROUND PACKAGE SYSTEM, INC.

- FedEx Ground Package System Inc

Co-Counsel for: Defendant/Appellee

Lori A Guner, Esq. (AZ Bar No. 31646)

Gregory M Monaco, Esq. (AZ Bar No. 23965)

Shanicka Kennedy, Esq. (PA Bar No. 88306)

CASE STATUS

May 10, 2024...At Issue

PREDECESSOR CASE(S)

Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2018-010982 Breach of Contract		Susanna C Pineda, Authoring Judge of Order		

OPEN DUE DATE

Response to Motion due

Due By:

Wednesday, May 29, 2024

Re: FILED: Appellant's Motion for Extended Oral Argument; Certificate of Service (Appellant)

2 PENDING MATTERS

Div 1 Request for Oral Argument

Filed: 10-Apr-2024

Request for Oral Argument (Appellee)

General Motion

Filed: 14-May-2024

Appellant's Motion for Extended Oral Argument(Appellant)

34 PROCEEDING ENTRIES

1.	9-Nov-2023	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/12/23
2.	9-Nov-2023	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3.	9-Nov-2023	FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4.	13-Nov-2023	FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 03/13/2023 - List # 4 6 8 9 11 12 13 16 24 26 27 37 119 159 160 161 162 163 164 165 166 167 168 169 170 171 172 183 196 251 254 291 317
5.	17-Nov-2023	FILED: Notice of Filing Transcript; Certificate of Service; Reporter's Transcript - 03/21/2023 - Trial Day 6 (Diane Donoho) (Appellant)
6.	23-Nov-2023	FILED: Appellant's Notice of Appearance & Payment of Filing Fee; Certificate of Service re Appellant's Notice of Appearance & Payment of Filing Fee (Appellant)
7.	24-Nov-2023	RECEIPT No.: 2023-01098 ; \$280.00, Authorization: #28009875227, Applied to: ACCORD TRUCKING INC - Class A Filing Fee (\$280.00) Paid for: McGill Law Firm - By nCourt LLC
8.	24-Nov-2023	FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0710****ACCORD, et al. v. FEDEX****34 PROCEEDING ENTRIES**

9.	29-Nov-2023	FILED: Case Management Statement; Certification of Service (Appellant)
10.	1-Dec-2023	FILED: Reporter's Transcript - 03/14/2023 - Trial Day 2 (Diane Donoho)
11.	1-Dec-2023	FILED: Reporter's Transcript - 03/15/2023 - Trial Day 3 (Diane Donoho)
12.	1-Dec-2023	FILED: Reporter's Transcript - 03/16/2023 - Trial Day 4 (Diane Donoho)
13.	1-Dec-2023	FILED: Reporter's Transcript - 03/20/2023 - Trial Day 5 (Diane Donoho)
14.	1-Dec-2023	FILED: Reporter's Transcript - 03/21/2023 - Trial Day 6 (Diane Donoho)
15.	1-Dec-2023	FILED: Appellee's Notice of Appearance & Payment of Filing Fee; Certificate of Service (Appellee)
16.	5-Dec-2023	RECEIPT No.: 2023-01134 ; \$140.00, Check Number: #135320172, Applied to: FEDEX GROUND PACKAGE SYSTEM, INC. - Class B Filing Fee (\$0.00), Overpayment Class B (\$140.00) Paid for: FedEx Groud Package Systems - By Sedgwick,as agent for FedEx Ground Package System
17.	5-Dec-2023	RECEIPT No.: 2023-01135 ; \$140.00, Check Number: #135320172, Applied to: FEDEX GROUND PACKAGE SYSTEM, INC. - Class B Filing Fee (\$140.00) Paid for: FedEx Groud Package Systems - By Sedgwick,as agent for FedEx Ground Package System (Memo: x-Ref 2023-01134)
18.	5-Dec-2023	VOID RECEIPT No.: 2023-01134 - \$-140.00, Check Number: #135320172, - Applied to: FEDEX GROUND PACKAGE SYSTEM, INC. - Class B Filing Fee (\$0.00), Overpayment Class B (\$-140.00) Paid for: FedEx Groud Package Systems - By: Sedgwick,as agent for FedEx Ground Package System VOID Reason: X-Ref: 2023-01135. Incorrect obligation satisfied. ala.
19.	7-Dec-2023	RECEIPT No.: 2023-01150 ; \$140.00, Authorization: #41009543858, Applied to: FEDEX GROUND PACKAGE SYSTEM, INC. - Overpayment Class B (\$140.00) Paid for: Fisher & Phillips LLP - By nCourt LLC (Memo: refund needed)
20.	13-Dec-2023	FILED: Appellee's Notice of Filing and Serving Additional Transcripts; Certificate of Service (Appellee)
21.	18-Dec-2023	FILED: Letter dated 12/18/2023 to Fisher & Phillips, LLP from Court re: enclosing check # 113669 in the amount of \$140.00 for refund of monies submitted in error
22.	20-Dec-2023	FILED: Joint Motion for Procedural Order (Opening and Answering Brief); Certificate of Service (Appellant)
23.	21-Dec-2023	ORDERED: Joint Motion for Procedural Order (Opening and Answering Brief) (Appellant) = GRANTED in part. Due date EXTENDED from Monday, 01-08-2024 to Friday, 02-16-2024. If the brief is not timely filed, the court will dismiss this appeal. FURTHER ORDERED: Denying the request to extend the time to file the answering brief without prejudice to appellee filing an extension motion after the due date for the answering brief is set. Melina Brill ProTem Judge - Author
24.	28-Dec-2023	FILED: Appellee's Statement Correcting Appellant's Case Management Statement; Certificate of Service (Appellee)
25.	29-Dec-2023	FILED: Notice of Errata to CMS; Certificate of Service (Appellant)
26.	16-Feb-2024	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
27.	12-Mar-2024	FILED: Motion for Procedural Order for Extension of Time to File Appellee's Answering Brief; Certificate of Service for Appellee's Motion for Procedural Order for Extension of Time to File Appellee's Answering Brief (Appellee)
28.	13-Mar-2024	ORDERED: Motion for Procedural Order for Extension of Time to File Appellee's Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Wednesday, 03-27-2024 to Wednesday, 04-10-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Barbara Vidal Vaught ProTem Judge - Author
29.	10-Apr-2024	FILED: Request for Oral Argument; Certificate of Service for Appellee's Request for Oral Argument (Appellee)
30.	10-Apr-2024	FILED: Answering Brief of Defendant/Appellee FedEx Ground Package System, Inc.; Certificate of Compliance for Appellee's Answering Brief; Certificate of Service for Appellee's Answering Brief (Appellee)
31.	23-Apr-2024	FILED: Motion for Procedural Order Re Reply Brief; Certificate of Service (Appellant)
32.	24-Apr-2024	ORDERED: Motion for Procedural Order Re Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 04-30-2024 to Friday, 05-10-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
33.	10-May-2024	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
34.	14-May-2024	FILED: Appellant's Motion for Extended Oral Argument; Certificate of Service (Appellant)