

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0725****PATAGONIA v. ADEQ/SOUTH32****Appellate Case Information**

Case Filed: 16-Nov-2023

Case Closed:

Dept/Composition**Side 1. PATAGONIA AREA RESOURCE ALLIANCE, Appellant****(Litigant Group) PATAGONIA AREA RESOURCE ALLIANCE**

- Patagonia Area Resource Alliance

Co-Counsel for: Appellant

Adriane Janet Hofmeyr, Esq. (AZ Bar No. 25100)

Chanele N Reyes, Esq. (AZ Bar No. 34898)

Nicholas Ansel, Esq. (AZ Bar No. 38448)

Side 2. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY, Appellee**(Litigant Group) ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY**

- Arizona Department of Environmental Quality

Attorneys for: Appellee ADEQ

Paul Phelps, Esq. (AZ Bar No. 37355)

Side 3. SOUTH32 HERMOSA, INC., Intervenor/Appellee**(Litigant Group) SOUTH32 HERMOSA, INC.**

- South32 Hermosa Inc

Co-Counsel for: Intervenor/Appellee

Christopher D Thomas, Esq. (AZ Bar No. 10482)

Todd Gwillim, Esq. (AZ Bar No. 36439)

Benjamin Longbottom, Esq. (AZ Bar No. 38602)

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	LC2022-000259-001	Notice of Appeal of Administrative Decision		Joseph P Mikitish, Authoring Judge of Order		

4 OPEN DUE DATES**Answering Brief due****Due By:** Wednesday, June 12, 2024

for AZ Dept. of Environmental Quality

[1 extension]

Re: FILED: Opening Brief; Certificate of Compliance; Certificate of Service of Appellant's Opening Brief (Appellant)

Answering Brief due**Due By:** Wednesday, June 12, 2024

for South32

[1 extension]

Re: FILED: Opening Brief; Certificate of Compliance; Certificate of Service of Appellant's Opening Brief (Appellant)

Reply Brief due**Due By:** Tuesday, July 23, 2024

to South32

Re: * ORDERED: Stipulated Motion for Procedural Order to Extend Time to File Answering Briefs and Reply Briefs (Appellee ADEQ) = GRANTED. Due dates EXTENDED from Monday, 05-13-2024 to Wednesday, 06-12-2024.

FURTHER ORDERED: The reply briefs are due by 07/23/20

Reply Brief due**Due By:** Tuesday, July 23, 2024

to AZ Dept. of Environmental Quality

Re: * ORDERED: Stipulated Motion for Procedural Order to Extend Time to File Answering Briefs and Reply Briefs (Appellee ADEQ) = GRANTED. Due dates EXTENDED from Monday, 05-13-2024 to Wednesday, 06-12-2024.

FURTHER ORDERED: The reply briefs are due by 07/23/20

24 PROCEEDING ENTRIES

1.	16-Nov-2023	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/09/23
2.	16-Nov-2023	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3.	16-Nov-2023	FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4.	30-Nov-2023	FILED: Notice of Payment of Filing Fee; Certificate of Service of Appellant's Notice of Payment of Filing Fee (Appellant)
5.	30-Nov-2023	FILED: Notice of Association of Counsel; Certificate of Service of Appellant's Notice of Association of Counsel (Appellant)

[180234]

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Information presented in this document may not reflect all case activity and is subject to change without notice.

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0725****PATAGONIA v. ADEQ/SOUTH32****24 PROCEEDING ENTRIES**

6. 6-Dec-2023 RECEIPT No.: 2023-01144 ; \$280.00, Authorization: # 40006281347, Applied to: PATAGONIA AREA RESOURCE ALLIANCE - Class A Filing Fee (\$280.00) Paid for: Adriane Janet Hofmeyr - By nCourt LLC
7. 6-Dec-2023 FILED: Case Management Statement (Appellant)
8. 7-Dec-2023 FILED: Notice of Name Change; Certificate of Service (Appellee South32)
9. 7-Dec-2023 FILED: Certificate Of Service Of Appellant's Case Management Statement; Certificate Of Service Of Appellant's Case Management Statement (Appellant)
10. 11-Dec-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
11. 11-Dec-2023 FILED: Settlement Conference Program Notice
12. 13-Dec-2023 RECEIPT No.: 2023-01169 ; \$140.00, Authorization: # 47004324661, Applied to: SOUTH32 HERMOSA, INC. - Class B Filing Fee (\$140.00) Paid for: Perkins Coie LLP - By nCourt, LLC
13. 21-Dec-2023 FILED: Motion for a Procedural Order (Extension for Opening Brief); Certificate of Service of Appellant's Motion for a Procedural Order (Appellant)
14. 21-Dec-2023 ORDERED: Motion for a Procedural Order (Extension for Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 01-16-2024 to Thursday, 02-15-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
15. 13-Feb-2024 FILED: Motion for a Procedural Order (Expedited Consideration Requested) (Transfer Record and Extension of time to file Opening); Certificate of Service of Appellant's Motion for a Procedural Order (Appellant)
16. 13-Feb-2024 ORDERED: Vacating the 02/15/2024 due date for the opening brief. The order ruling on the pending motion will set a due date for the opening brief. Melina Brill ProTem Judge - Author
17. 7-Mar-2024 ORDERED: Motion for a Procedural Order (Expedited Consideration Requested) (Transfer Record and Extension of time to file Opening) (Appellant) = GRANTED. The court does not express an opinion on whether the panel assigned to review the appeal on the merits will consider the additional record. FURTHER ORDERED: Directing the Office of Administrative Hearings to transmit the administrative record from the Office of Administrative Hearings case nos. 21-006-WQAB and 21-004-WQAB to this court by 03/20/2024. FURTHER ORDERED: Requiring appellant to file the opening brief by 04/01/2024. If appellant does not file the brief timely, the court will dismiss this appeal. Hon David B Gass - Author
18. 15-Mar-2024 FILED: Returned US Mail, Order Granting Motion dated 03/07/2024, addressed to Office of Administrative Hearings, Unable to Forward (Resent 03/18/2024)
19. 20-Mar-2024 FILED: Notice of Change of Address; Certificate of Service (Appellee South 32)
20. 20-Mar-2024 FILED: Notice of Substitution of Counsel Within Firm; Certificate of Service (Appellee South 32)
21. 22-Mar-2024 FILED: Notice of Filing Administrative Record as Ordered by Chief Judge
22. 1-Apr-2024 FILED: Opening Brief; Certificate of Compliance; Certificate of Service of Appellant's Opening Brief (Appellant)
23. 6-May-2024 FILED: Stipulated Motion for Procedural Order to Extend Time to File Answering Briefs and Rely Briefs; Certificate of Service Stipulated Motion for Procedural Order to Extend Time to File Answering Briefs and Rely Briefs (Appellee ADEQ)
24. 6-May-2024 ORDERED: Stipulated Motion for Procedural Order to Extend Time to File Answering Briefs and Rely Briefs (Appellee ADEQ) = GRANTED. Due dates EXTENDED from Monday, 05-13-2024 to Wednesday, 06-12-2024. FURTHER ORDERED: The reply briefs are due by 07/23/2024. Melina Brill ProTem Judge - Author