

## Court of Appeals, Division One

## Civil Appeal

1 CA-CV 24-0114

WHITMER, et al. v. HILTON CASITAS

## Appellate Case Information

Case Filed: 21-Feb-2024

Case Closed:

## Dept/Composition

## Side 1. R. L. WHITMER, et al., Plaintiff/Appellant

(Litigant Group) R. L. WHITMER, et al.

- R L Whitmer
- Colleen London

## Attorney for: Plaintiffs/Appellants

Ross P Meyer, Esq. (AZ Bar No. 28473)

## Side 2. HILTON CASITAS COUNCIL OF HOMEOWNERS, Defendant/Appellee

(Litigant Group) HILTON CASITAS COUNCIL OF HOMEOWNERS

- Hilton Casitas Council of Homeowners

## Attorneys for: Defendant/Appellee

R Corey Hill, Esq. (AZ Bar No. 12188)

Ginette M Hill, Esq. (AZ Bar No. 18272)

Christopher Robbins, Esq. (AZ Bar No. 11064)

## Side 3. PROCACCIANTI AZ II, LP, a Delaware limited partnership, Intervenor

(Litigant Group) PROCACCIANTI AZ II, LP, a Delaware limited partnership

- Procaccianti AZ II LP

## Attorneys for: Intervenor

Andrew M Federhar, Esq. (AZ Bar No. 6567)

Jessica Anne Gale, Esq. (AZ Bar No. 30583)

## CASE STATUS

Mar 28, 2024....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2014-054346	Breach of Contract		Melissa Iyer Julian, Authoring Judge of Order		

## 3 OPEN DUE DATES

## Motion for Reconsideration due

Due By:

Friday, April 12, 2024

Re: \* ORDERED: Dismissing this appeal. FURTHER ORDERED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 = DENIED. FURTHER ORDERED: Defendant Hilton Casitas' Joinder in Motion to Consolidate App

## Response to Motion due

Due By:

Monday, April 22, 2024

Re: FILED: Combined Motion to Reinstate 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per)

## Petition for Review to ASC due

Due By:

Monday, April 29, 2024

Re: \* ORDERED: Dismissing this appeal. FURTHER ORDERED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 = DENIED. FURTHER ORDERED: Defendant Hilton Casitas' Joinder in Motion to Consolidate App

## PENDING MATTER

## General Motion

Filed: 2-Apr-2024

Combined Motion to Reinstate 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per)

# Court of Appeals, Division One

## Civil Appeal

**1 CA-CV 24-0114**

**WHITMER, et al. v. HILTON CASITAS**

### CASE DECISION

28-Mar-2024 ORDER

\* ORDERED: Dismissing this appeal. FURTHER ORDERED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 = DENIED. FURTHER ORDERED: Defendant Hilton Casitas' Joinder in Motion to Consolidate App

Filed: **28-Mar-2024**

Mandate:

Decision Disposition

**Dismissed**

David Gass.....Author

### 18 PROCEEDING ENTRIES

1. 21-Feb-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 01/22/24
2. 21-Feb-2024 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 26-Feb-2024 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 5-Mar-2024 RECEIPT No.: 2024-00218 ; \$280.00, Authorization: #65007339184, Applied to: R. L. WHITMER, et al. - Class A Filing Fee (\$280.00) Paid for: R. L. WHITMER, et al. - By nCourt LLC
5. 5-Mar-2024 FILED: Case Management Statement; Certificate of Service - Case Management Statement (Appellant)
6. 11-Mar-2024 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
7. 11-Mar-2024 FILED: Settlement Conference Program Notice
8. 11-Mar-2024 FILED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 [sic] (Appellants Pro Per)
9. 11-Mar-2024 FILED: Combined Acceptance of the Court of Appeals' Settlement Conference Program (Appellants Pro Per)
10. 12-Mar-2024 FILED: Notice of Appellee's Filing Fee for Hilton Casitas Council of Homeowners; Certificate of Service (Appellee)
11. 15-Mar-2024 FILED: Procaccianti's Joinder in Appellants [sic] Motion to Consolidate 1-CA-CV-0108, 1-CA-CV-24-0110 and 1-CA-CV-0114 with 1-CA-CV-0095; Certificate of Service of Procaccianti's Joinder in Appellants [sic] Motion to Consolidate 1-CA-CV-0108, 1-CA-CV-24-0110 and 1-CA-CV-0114 with 1-CA-CV-0095 (Appellee Procaccianti)
12. 18-Mar-2024 RECEIPT No.: 2024-00265 ; \$140.00, Authorization: #78012422198, Applied to: HILTON CASITAS COUNCIL OF CO-OWNERS - Class B Filing Fee (\$140.00) Paid for: Hill Hall & DeCiancio PLC - By nCourt LLC
13. 18-Mar-2024 FILED: Defendant Hilton Casitas' Joinder in Motion to Consolidate Appeals and Motion to Correct Caption in Appeals; Certificate of Service - Defendant Hilton Casitas' Joinder in Motion to Consolidate Appeals -and Motion to Correct Caption in Appeals (Appellee)
14. 20-Mar-2024 FILED: Procaccianti AZ II, L.P.'s Notice of Payment of Filing Fee; Certificate of Service of Procaccianti AZ II, L.P.'s Notice of Payment of Filing Fee (Appellee Procaccianti)
15. 25-Mar-2024 RECEIPT No.: 2024-00294 ; \$140.00, Authorization: 85012795323, Applied to: PROCACCIANTI AZ II, LP, a Delaware limited partner - Class B Filing Fee (\$140.00) Paid for: Spencer Fane LLP - By nCourt LLC
16. 25-Mar-2024 FILED: Reply to Joinder to the Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114, with 1 CA-CV 24-00095 and Response to Motion to Correct Caption in Appeals (Appellant Pro Per)
17. 28-Mar-2024 ORDERED: Dismissing this appeal. FURTHER ORDERED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 = DENIED. FURTHER ORDERED: Defendant Hilton Casitas' Joinder in Motion to Consolidate Appeals and Motion to Correct Caption in Appeals (Appellee) = GRANTED and amending the caption in this appeal by changing appellee from "Hilton Casitas Council of Co-Owners" to "Hilton Casitas Council of Homeowners." Hon David B Gass - Author
18. 2-Apr-2024 FILED: Combined Motion to Reinstate 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per)