

**Court of Appeals, Division One****Special Action****1 CA-SA 23-0127****GUST ROSENFELD v. HON. MCCOY/ICING et al.****Appellate Case Information**

Case Filed: 3-Jul-2023

Case Closed:

**Dept/Composition****Department E**Hon. James B Morse  
Hon. Cynthia J Bailey  
Hon. Brian Y Furuya**Side 1. GUST ROSENFELD P.L.C., an Arizona professional limited liability company, Petitioner****(Litigant Group) GUST ROSENFELD**

- Gust Rosenfeld PLC

**Attorneys for: Petitioner**

Charles W Wirken, Esq. (AZ Bar No. 4276)

**Side 2. THE HONORABLE M. SCOTT MCCOY, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,****Respondent Judge,**

ICING INVESTMENT HOLDINGS, LLC, an Arizona limited liability company; COMMUNITY CENTER PARTNERS, LLC, an Arizona limited liability company; LEGACY SPORTS USA, LLC, an Arizona limited liability company; B. C. ZIEGLER AND COMPANY, INC., a Wisconsin for-profit corporation; CHAD MILLER, an individual,

**Real Parties in Interest., Respondent****(Litigant Group) HONORABLE M. SCOTT MCCOY**

- Hon. M Scott McCoy

**(Litigant Group) ICING INVESTMENT/COMMUNITY CENTER**

- Community Center Partners LLC
- Icing Investment Holdings LLC

**Attorneys for: Real Parties, Icing/Community**

Troy B Froderman, Esq. (AZ Bar No. 12717)

Scott C Ryan, Esq. (AZ Bar No. 26791)

John Barwell, Esq. (AZ Bar No. 28345)

Richie J Edwards, Esq. (AZ Bar No. 35601)

**(Litigant Group) LEGACY SPORTS/MILLER**

- Legacy Sports USA LLC
- Chad Miller

**Attorneys for: Real Parties, Legacy/Miller**

James Michael Baggett, Esq. (AZ Bar No. 9008)

**(Litigant Group) B. C. ZIEGLER AND COMPANY, INC**

- B C Ziegler and Company Inc

**Attorneys for: Real Party, B.C. Ziegler**

John M O'Neal, Esq. (AZ Bar No. 15945)

Haley Augur, Esq. (AZ Bar No. haleyaugur)

**CASE STATUS**

Feb 2, 2024.....Pending in ASC

**PREDECESSOR CASE(S)**

MAR CV2021-012963

**Cause/Charge/Class****Judgment/Sentence****Judge, Role <Comments>****Trial****Dispo**M Scott McCoy, Authoring  
Judge of Order**DESCENDENT CASE(S)**

ASC CV-23-0178-PR

ASC CV-24-0020-PR

**Court of Appeals, Division One****Special Action****1 CA-SA 23-0127****GUST ROSENFELD v. HON. MCCOY/ICING et al.****2 CASE DECISIONS****06-Jul-2023 ORDER**

\*\*\*Vacated\*\*\*

ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED. FURTHER ORDERED: Vacating this court's previous order in its entirety (Judges Morse Jr., Bailey, Furuya)

Vacated by ASC 11/8/23

James Morse.....Author

Filed: **06-Jul-2023**

Mandate:

Decision Disposition

**Jurisdiction Declined****29-Jan-2024 ORDER**

ORDERED: accepting jurisdiction and denying relief.

Brian Furuya.....Author

Filed: **29-Jan-2024**

Mandate:

Decision Disposition

**Jurisdiction Accepted  
Relief Denied****15 PROCEEDING ENTRIES**

1. 3-Jul-2023 FILED: Petition for Special Action; Certificate of Compliance; Contact Information Sheet; Certificate of Service (Petitioner)
2. 5-Jul-2023 FILED: Order Setting Dates/petition set for am of 07/26/2023 by Dept. E, Judges Morse Jr., Bailey, Furuya
3. 6-Jul-2023 ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED. FURTHER ORDERED: Vacating this court's previous order in its entirety (Judges Morse Jr., Bailey, Furuya)
4. 10-Jul-2023 RECEIPT No.: 2023-00611 ; \$280.00, Authorization: #91012315966, Applied to: GUST ROSENFELD - Class A Filing Fee (\$280.00) Paid for: Gust Rosenfeld PLC - By nCourt LLC
5. 12-Jul-2023 FILED: Email Notice from ASC re: Petition for Review filed 07/12/2023; request for partial record
6. 12-Jul-2023 FILED: Letter forwarding partial record to Arizona Supreme Court
7. 8-Nov-2023 FILED: Letter from ASC, 11/8/23, re: Petition for Review GRANTED on 11/8/23; Vacating the opinion of the court of appeals and remanding to that court with instructions to accept jurisdiction of the petition for special action review.
8. 16-Nov-2023 ORDERED: Reserving time for conference on the afternoon of 1/25/24 before Department E. FURTHER ORDERED: Any response or objection to the relief requested in the petition shall be filed and served within 7 business days of this order. A reply may be filed and served within 5 business days after service of the response no later than 1:00 pm on the date it is due. Hon James B Morse Jr. - Author
9. 21-Nov-2023 FILED: Response to Petition for Special Action; Certificate of Compliance; Certificate of Service (Real Party in Interest)
10. 28-Nov-2023 FILED: Arizona Supreme Court Mandate Remanding to the Court of Appeals
11. 28-Nov-2023 FILED: Reply to Response to Petition for Special Action; Certificate of Compliance; Certificate of Service (Petitioner)
12. 29-Jan-2024 ORDERED: Accepting jurisdiction and denying relief. Hon Brian Y Furuya - Author
13. 2-Feb-2024 FILED: Email Notice from ASC re: Petition for Review filed 02/02/2024; request for partial record
14. 5-Feb-2024 FILED: Letter forwarding partial record to Arizona Supreme Court
15. 7-Feb-2024 FILED: Amended Letter forwarding partial record to Arizona Supreme Court