

Court of Appeals, Division One**Special Action****1 CA-SA 23-0231****PNC BANK v. HON COURY/JENNINGS et al.****Appellate Case Information**

Case Filed: 29-Nov-2023

Case Closed:

Dept/Composition**Department C**Hon. D Steven Williams
Hon. Samuel A Thumma
Hon. Paul J McMurdie**Side 1. PNC BANK, N.A., Petitioner****(Litigant Group) PNC BANK, N.A.**

- PNC Bank NA

Attorneys for: Petitioner

Kevin M Judiscak, Esq. (AZ Bar No. 12764)

Scott B Cohen, Esq. (AZ Bar No. 14377)

Bradley D Pack, Esq. (AZ Bar No. 23973)

Side 2. THE HONORABLE CHRISTOPHER COURY, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,**Respondent Judge,****JENNINGS, STROUSS & SALMON, P.L.C.,**
an Arizona professional limited liability
company; **RED CITYSCAPE**
DEVELOPMENT, LLC, a Delaware limited
liability company; and **RESOLUTE**
COMMERCIAL SERVICES, LLC, an
Arizona limited liability company in its
capacity as Receiver for Jennings, Strouss &
Salmon, P.L.C.,**Real Parties in Interest., Respondent****(Litigant Group) HONORABLE CHRISTOPHER COURY**

- Hon. Christopher A Coury, Respondent Judge

(Litigant Group) JENNINGS, STROUSS & SALMON, P.L.C.

- Jennings Strouss & Salmon PLC, Real Party in Interest

Attorneys for: Real Party in Interest Jennings

Bryan J Gottfredson, Esq. (AZ Bar No. 25140)

Philip R Rudd, Esq. (AZ Bar No. 14026)

Wesley D Ray, Esq. (AZ Bar No. 26351)

(Litigant Group) RED CITYSCAPE

- Red Cityscape Development LLC, Real Party in Interest

Attorneys for: Real Party Red Cityscape

Andrew Abraham, Esq. (AZ Bar No. 7322)

Ralph D Harris, Esq. (AZ Bar No. 6881)

Daryl Manhart, Esq. (AZ Bar No. 5471)

(Litigant Group) RESOLUTE

- Resolute Commercial Services LLC, Real Party in Interest

Attorney for: Real Party Resolute

Michael A Jones, Esq. (AZ Bar No. 27311)

CASE STATUS

Mar 12, 2024....Pending in ASC

PREDECESSOR CASE(S)

MAR CV 2023-012249

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

ASC CV-24-0018-PR

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CASE DECISION

06-Feb-2024 OPINION

D Williams.....Author
Samuel Thumma.....Concur
Paul McMurdie.....Concur

Filed: **06-Feb-2024**

Mandate:

Decision Disposition

**Jurisdiction Accepted
Relief Granted**

29 PROCEEDING ENTRIES

1. 29-Nov-2023 FILED: Petition for Special Action; Certificate of Compliance; Contact Information Sheet; Certificate of Service (Petitioner)
2. 29-Nov-2023 FILED: Appendix Volume I Part 1 (Petitioner)
3. 29-Nov-2023 FILED: Appendix Volume I Part 2 (Petitioner)
4. 29-Nov-2023 FILED: Appendix Volume II (Petitioner)
5. 29-Nov-2023 FILED: Order Setting Dates/petition set for am of 12/20/2023 by Dept C, Judges Williams, Thumma, McMurdie.
6. 30-Nov-2023 FILED: Acceptance of Service of Special Action Petition (Philip R. Rudd) (Petitioner)
7. 30-Nov-2023 FILED: Acceptance of Service of Special Action Petition (Andrew Abraham) (Petitioner)
8. 30-Nov-2023 FILED: Acceptance of Service of Special Action Petition (Michael Jones) (Petitioner)
9. 4-Dec-2023 RECEIPT No.: 2023-01132 ; \$280.00, Authorization: # 38018147086, Applied to: PNC BANK, N.A. - Class A Filing Fee (\$280.00) Paid for: Engelman Berger PC - By nCourt LLC
10. 4-Dec-2023 FILED: Notice of Errata Regarding Certificate of Service; Certificate of Service of Notice of Errata Re: Certificate of Service (Petitioner)
11. 11-Dec-2023 FILED: Red Cityscape Development LLC Response Opposing Petition for Special Action; Certificate of Compliance; Certificate of Service (Real Party in Interest Red Cityscape)
12. 12-Dec-2023 FILED: Filing Fee - Response to Special Action (Real Party in Interest Red Cityscape)
13. 15-Dec-2023 RECEIPT No.: 2023-01173 ; \$140.00, Authorization: # 49011734867, Applied to: JENNINGS, STROUSS & SALMON, P.L.C. - Class B Filing Fee (\$140.00) Paid for: Burch & Cracchiolo PA - By nCourt LLC
14. 18-Dec-2023 FILED: Reply in Support of Petition for Special Action; Certificate of Service; Certificate of Compliance (Petitioner)
15. 10-Jan-2024 FILED: Notice as Directed by Superior Court; Certificate of Service (Real Party in Interest Red Cityscape)
16. 17-Jan-2024 ORDERED: Petition for Special Action (Petitioner) = JURISDICTION ACCEPTED. FURTHER ORDERED: Granting the requested relief insofar that the landlord's lien does not attach to a tenant's receivables and intangible property. A written opinion will be issued in due course. Hon D Steven Williams - Author
17. 25-Jan-2024 RECEIPT No.: 2024-00078 ; \$140.00, Authorization: #49011734867, Applied to: RED CITYSCAPE - Class B Filing Fee (\$140.00) Paid for: BURCH & CRACCHIOLO PA - By nCourt LLC (Memo: X-Ref: 2023-01173)
18. 25-Jan-2024 VOID RECEIPT No.: 2023-01173 - \$-140.00, Authorization: # 49011734867, - Applied to: JENNINGS, STROUSS & SALMON, P.L.C. - Class B Filing Fee (\$-140.00) Paid for: Burch & Cracchiolo PA - By: nCourt LLC VOID Reason: X-Ref: 2024-00078. payment applied to incorrect account. ala
19. 31-Jan-2024 FILED: Motion to Clarify or Extend Time for Filing Statement of Attorneys' Fees and Costs; Certificate of Service (Petitioner)
20. 6-Feb-2024 OPINION (Jurisdiction Accepted, Relief Granted) Hon D Steven Williams - Author; Hon Samuel A Thumma - Concur; Hon Paul J McMurdie - Concur
21. 6-Feb-2024 FILED: Decision Distribution Notification
22. 20-Feb-2024 FILED: Petitioner's Statement of Attorneys' Fees and Costs; Certificate of Service Re: Petitioner's Statement of Attorneys' Fees and Costs; Exhibit A (to Petitioner's Statement of Attorneys' Fees and Costs) (Petitioner)
23. 20-Feb-2024 FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Service (Real Party in Interest Red Cityscape)
24. 23-Feb-2024 FILED: Red's Objection to Petitioner's Statement of Attorneys' Fees and Costs; Certificate of Service (Real Party Red Cityscape)

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25.	27-Feb-2024	FILED: Petitioner's Reply in Support of Statement of Attorneys' Fees and Costs; Certificate of Service Regarding Petitioner's Reply in Support of Statement of Attorneys' Fees and Costs (Petitioner)
26.	29-Feb-2024	ORDERED: Motion for Reconsideration (Real Party in Interest Red Cityscape) = DENIED. Hon D Steven Williams - Author
27.	1-Mar-2024	ORDERED: Petitioner's Statement of Attorneys' FEES and Costs (Petitioner) = Awarding Petitioner \$30,000.00 in attorneys' fees, and \$305.71 in costs. Hon D Steven Williams - Author
28.	12-Mar-2024	FILED: Email Notice from ASC re: Petition for Review filed 03/12/2024; request for partial record
29.	13-Mar-2024	FILED: Letter forwarding partial record to Arizona Supreme Court