

Arizona Supreme Court
Civil Petition for Review - Appeal

CV-16-0087-PR

MARY WADE/MARLA PADDOCK v ASRS/ASRS BOARD

<p>Appellate Case Information</p> <p>Case Filed: 19-Apr-2016</p> <p>Case Closed:</p>	<p>Dept/Composition</p> <p>En Banc</p> <p>Hon. Scott Bales Hon. John Pelander Hon. Robert M. Brutinel Hon. Ann A. Scott Timmer Hon. Clint Bolick</p>
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Side 1. MARY WADE and MARLA PADDOCK, Plaintiff/Appellant
(Litigant Group) MARY WADE and MARLA PADDOCK

<ul style="list-style-type: none"> Mary Wade Marla Paddock 	<p>Attorneys for: Plaintiffs/Appellants</p> <p>Susan Martin, Esq. (AZ Bar No. 14226) Daniel L Bonnett, Esq. (AZ Bar No. 14127) Jennifer L Kroll, Esq. (AZ Bar No. 19859) Thomas M Rogers, Esq. (AZ Bar No. 3285)</p>
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Side 2. ARIZONA STATE RETIREMENT SYSTEM; ARIZONA STATE RETIREMENT SYSTEM BOARD, Defendant/Appellee
(Litigant Group) ASRS/ASRS BOARD

<ul style="list-style-type: none"> Arizona State Retirement System Arizona State Retirement System Board 	<p>Attorneys for: Defendants/Appellees</p> <p>Mark Brnovich, Esq. (AZ Bar No. 14134) John R Lopez, IV, Esq. (AZ Bar No. 19182) Paula S Bickett, Esq. (AZ Bar No. 6821) Jothi Beljan, Esq. (AZ Bar No. 21424) Patrick Irvine, Esq. (AZ Bar No. 6534)</p>
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CASE STATUS	
Dec 13, 2016....Submitted	Oct 18, 2016.....At Issue
Oct 18, 2016....Oral Argument Granted	Apr 19, 2016.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA	1 CA-CV 14-0721				
↪ MAR	CV2013-015082	Class Action	Randall H Warner, Authoring Judge of Order Comments: (none)		

32 PROCEEDING ENTRIES		
1.	19-Apr-2016	FILED: Arizona State Retirement (sic) System and Board's Unopposed Motion for Extension of Time to File Petition for Review; Certificate of Service (Appellees Arizona State Retirement System/Arizona State Retirement System Board)
2.	19-Apr-2016	An "Arizona State Retirement (sic) System and Board's Unopposed Motion for Extension of Time to File Petition for Review"(Appellees Arizona State Retirement System/Arizona State Retirement System Board) having been filed on April 19, 2016 IT IS ORDERED granting an extension of time to file the Petition for Review on or before May 16, 2016. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the Petition for Review is not filed by May 16, 2016. (Janet Johnson, Clerk)
3.	13-May-2016	FILED: (2nd) Arizona State Retirement (sic) System and Board's Motion for Extension of Time to File Petition for Review; Certificate of Service (Appellees Arizona State Retirement System/Arizona State Retirement System Board)
4.	13-May-2016	FILED: Plaintiffs/Appellants' Response in Opposition to Arizona State Retirement System and Board's May 13, 2016 Motion for Extension of Time to File Petition for Review; Certificate of Service; Declaration of Jennifer Kroll in Opposition to Arizona State Retirement System and Board's May 13, 2016 Motion for Extension of Time to File Petition for Review (Appellants Wade/Paddock)
5.	16-May-2016	An "Arizona State Retirement (sic) System and Board's Motion for Extension of Time to File Petition for Review" and "Plaintiffs/Appellants' Response in Opposition to Arizona State Retirement System and Board's May 13, 2016 Motion for Extension of Time to File Petition for Review" having been filed. Upon consideration, IT IS ORDERED granting a second extension of time to file the Petition for Review on or before May 27, 2016. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the Petition for Review is not filed by May 27, 2016. (Hon. Robert M. Brutinel)

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6. 23-May-2016 FILED: Petition for Review; Certificate of Service; Certificate of Compliance for the Petition for Review; Opinion; (Copy of) MCSC Under Advisement Ruling (Filed 07/16/14) (Appellees Arizona State Retirement System/Arizona State Retirement System Board)
7. 24-May-2016 FILED: Record from CofA: Electronic Record
8. 17-Jun-2016 FILED: Plaintiffs/Appellants' Unopposed Motion for Procedural Order Extending Time to Respond to Petition for Review; Certificate of Service (Appellants Wade/Paddock)
9. 17-Jun-2016 A "Plaintiffs/Appellants' Unopposed Motion for Procedural Order Extending Time to Respond to Petition for Review" (Appellants Wade/Paddock) having been filed on June 17, 2016,

IT IS ORDERED granting an extension of time to file the Response to Petition for Review on or before July 11, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Janet Johnson, Clerk)
10. 11-Jul-2016 FILED: Plaintiffs/Appellants' Motion to Dismiss AND Opposition to Defendants/Appellees Arizona State Retirement System and Board's Petition for Review; Certificate of Service; Certificate of Compliance; Exhibit 1 (Copy of Westlaw Memorandum Decision) (Appellants Wade/Paddock)
11. 11-Jul-2016 FILED: Declaration of Jennifer Kroll in Support of Plaintiffs/Appellants' Motion to Dismiss Defendants/Appellees Arizona State Retirement System and Board's Petition for Review; Certificate of Service; Exhibits A-F (Copy of Arizona State Retirement System Minutes) (Appellants Wade/Paddock)
12. 14-Jul-2016 RECEIPT No.: ASC2016-00641 ; \$140.00, Authorization: 95018147500, Applied to: MARY WADE and MARLA PADDOCK - Class B Filing Fee (\$140.00) Paid for: MARY WADE and MARLA PADDOCK - By Intresys Inc (Memo: Form Set No. 1860757)
13. 29-Jul-2016 FILED: Motion for Extension of Time to File Response to Plaintiff/Appellants' Motion to Dismiss and Opposition to Defendants/Appellees Arizona State Retirement System and Board's Petition for Review; Certificate of Service; Declaration of Rex C. Nowlan in Support of Motion for Extension of Time to File Response to Plaintiff/Appellants' Motion to Dismiss and Opposition to Defendants/Appellees Arizona State Retirement System and Board's Petition for Review (Appellees Arizona State Retirement System/Arizona State Retirement System Board)
14. 2-Aug-2016 A "Motion for Extension of Time to File Response to Plaintiff/Appellants' Motion to Dismiss and Opposition to Defendants/Appellees Arizona State Retirement System and Board's Petition for Review" (Appellees Arizona State Retirement System/Arizona State Retirement System Board) having been filed on July 29, 2016,

IT IS ORDERED granting an extension of time to file the Response to Plaintiffs/Appellants' Motion to Dismiss and Opposition to Defendants/Appellees Arizona State Retirement System and Board's Petition for Review on or before August 12, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Janet Johnson, Clerk)
15. 12-Aug-2016 FILED: Arizona State Retirement System's Response to Motion to Dismiss; Certificate of Service (Appellees Arizona State Retirement System/Arizona State Retirement System Board)
16. 18-Aug-2016 FILED: Plaintiffs/Appellants' Unopposed Motion for Procedural Order Extending Time for Plaintiffs/Appellants to File Reply in Support of Motion to Dismiss Arizona State Retirement System and Board's Petition for Review; Certificate of Service; Declaration of Jennifer Kroll in Support of Plaintiffs/Appellants' Unopposed Motion for Procedural Order Extending Time for Plaintiffs/Appellants to File Reply in Support of Motion to Dismiss Arizona State Retirement System and Board's Petition for Review (Appellants Wade/Paddock)
17. 19-Aug-2016 A "Plaintiffs/Appellants' Unopposed Motion for Procedural Order Extending Time for Plaintiffs/Appellants to File Reply in Support of Motion to Dismiss Arizona State Retirement System and Board's Petition for Review" (Appellants Wade/Paddock) having been filed on August 18, 2016. Upon consideration,

IT IS ORDERED granting "Plaintiffs/Appellants' Unopposed Motion for Procedural Order Extending Time for Plaintiffs/Appellants to File Reply in Support of Motion to Dismiss Arizona State Retirement System and Board's Petition for Review."

IT IS FURTHER ORDERED the Reply may be filed on or before September 12, 2016. No further extensions of time shall be granted absent extraordinary circumstances. (Janet Johnson)
18. 12-Sep-2016 FILED: Plaintiffs/Appellants' Reply in Support of Motion to Dismiss Defendants/Appellees Arizona State Retirement System and Board's Petition for Review; Certificate of Service (Appellants Wade/Paddock)

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19. 18-Oct-2016 ORDERED: Plaintiffs/Appellants' Motion to Dismiss = DENIED.
FURTHER ORDERED: Petition for Review = GRANTED.
FURTHER ORDERED: Request for Attorneys' Fees (Appellants Wade/Paddock) = CONTINUED.
FURTHER ORDERED: The case shall be set for oral argument.
FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of this Court's Minute Letter.
20. 19-Oct-2016 NOTICE OF ORAL ARGUMENT: Set for Tuesday, December 13, 2016 at 2:00 P.M. [twenty (25) minutes per side]
21. 21-Oct-2016 FILED: Notice of Filing Acknowledgment of Oral Argument (Jothi Beljan will argue) (Appellees Arizona State Retirement System/Arizona State Retirement System Board)
22. 25-Oct-2016 FILED: Notice of Filing Acknowledgment of Oral Argument (Susan Martin will argue) (Appellants Wade/Paddock)
23. 26-Oct-2016 FILED: Remaining Record from CofA: Instruments (1 Part) and MEs (Electronic)
24. 4-Nov-2016 FILED: Joint Motion to Extend Deadline for Appellants and Appellees to File Supplemental Briefs; Certificate of Service
25. 4-Nov-2016 A "Joint Motion to Extend Deadline for Appellants and Appellees to File Supplemental Briefs" (Appellees Arizona State Retirement System/Arizona State Retirement System Board) having been filed on November 4, 2016. Upon consideration,
IT IS ORDERED granting the "Joint Motion to Extend Deadline for Appellants and Appellees to File Supplemental Briefs" on or before November 14, 2016. No further extension of time shall be granted absent extraordinary circumstances. (Hon. Ann A. Scott Timmer)
26. 14-Nov-2016 FILED: Arizona State Retirement System and Board's Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellees Arizona State Retirement System/Arizona State Retirement System Board)
27. 14-Nov-2016 FILED: Plaintiffs/Appellants' Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellants Wade/Paddock)
28. 16-Nov-2016 FILED: Plaintiffs/Appellants' Notice of Filing Revised Table of Contents for Plaintiffs/Appellants' Appendix; Certificate of Service; Revised Table of Contents for Appendix Volumes I-IV (Appellants Wade/Paddock)
29. 17-Nov-2016 FILED: Plaintiffs/Appellants' Notice of Filing Plaintiffs/Appellants' Appendix; Certificate of Service; Plaintiffs/Appellant Appendix Vol I; Plaintiffs/Appellants' Appendix Volume II (Appellants Wade/Paddock)
30. 17-Nov-2016 FILED: Plaintiffs/Appellants' Appendix Volume III; (Duplicate) Certificate of Service; Plaintiffs/Appellants' Appendix Volume IV (Appellants Wade/Paddock)
31. 8-Dec-2016 FILED: Plaintiffs'/Appellants' Notice of Supplemental Legal Authority; Certificate of Service (Appellants Wade/Paddock)
32. 13-Dec-2016 ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Susan Martin; Jothi Beljan)