Arizona Supreme Court

Civil Petition for Review - Appeal

CV-16-0156-PR **SIRRAH ENTERPRISES LLC v WAYNE WUNDERLICH et ux**

Appellate Case Information

Case Filed: 8-Jul-2016

Case Closed:

Dept/Composition

En Banc

Hon. Scott Bales
Hon. John Pelander
Hon. Robert M. Brutinel
Hon. Ann A. Scott Timmer
Hon. Clint Bolick
Hon. Andrew W. Gould
Hon. John R. Lopez

Side 1. SIRRAH ENTERPRISES, LLC, an Arizona Corporation, Plaintiff

(Litigant Group) SIRRAH ENTERPRISES, LLC, an Arizona Corporation

- **Sirrah Enterprises LLC, Counter-Defendant, Appellant**

Attorneys for: Plaintiff/Counterdefendant/
John J Belanger, Esq. (AZ Bar No. 21671)

Side 2. WAYNE and JACQUELINE WUNDERLICH, husband and wife, Defendant

(Litigant Group) WAYNE and JACQUELINE WUNDERLICH, husband and wife

- **Wayne Wunderlich, Counter-Claimant, Appellee**

Attorneys for: Defendant/Counterclaimants/
Jeffrey R Adams, Esq. (AZ Bar No. 18959)

Side 3. HOME BUILDERS ASSOCIATION OF CENTRAL ARIZONA, Amicus Curiae

(Litigant Group) HOME BUILDERS ASSOCIATION OF CENTRAL ARIZONA

- **Home Builders Association of Central Arizona**

Attorneys for: Amicus Curiae
Stephen E Richman, Esq. (AZ Bar No. 7489)
Anne L Tiffen, Esq. (AZ Bar No. 6987)

CASE STATUS

Jan 10, 2017....At Issue

Jan 10, 2017....Oral Argument Granted

Jul 8, 2016.....Pending

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA	1 CA-CV 15-0058					
↳ YAV	P1300CV20070399	Breach of Contract, Breach of Implied Covenant of Good Faith and Fair Dealing [see file0		David L Mackey, Authoring Judge of Order Comments: (none)		

17 PROCEEDING ENTRIES

1.	8-Jul-2016	FILED: Motion for Procedural Order to Extend Time to File Petition for Review; Certificate of Service (Appellant Sirrah Enterprises LLC)
2.	11-Jul-2016	A "Motion for Procedural Order to Extend Time to File Petition for Review" (Appellant Sirrah Enterprises, LLC) having been filed on July 8, 2016, IT IS ORDERED granting an extension of time to file the Petition for Review on or before August 18, 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 August 18, 2016. (Janet Johnson, Clerk)
3.	18-Aug-2016	FILED: Petition for Review of a Decision of the Court of Appeals, Division One, by Plaintiff/Counter-Defendant/Appellant Sirrah Enterprises, LLC; Certificate of Service; Certificate of Compliance; Opinion (Appellant Sirrah Enterprises, LLC)
4.	19-Aug-2016	FILED: Record from CofA: Electronic Record
5.	24-Aug-2016	RECEIPT No.: ASC2016-00776 ; $280.00, Authorization: 35021212661, Applied to: SIRRAH ENTERPRISES, LLC, an Arizona Corporation - Class A Filing Fee ($280.00) Paid for: SIRRAH ENTERPRISES, LLC, an Arizona Corporation - By Intresys Inc (Memo: Form Set # 1902924)
6.	19-Sep-2016	FILED: Response to Petition for Review of a Decision of the Court of Appeals, Division One, by Plaintiff/Counterdefendant/Appellant Sirrah Enterprises; Certificate of Service; Certificate of Compliance; Appendix 1 and Appendix 2 (to Response to Petition for Review) (Appellees Wunderlich)
7.	20-Sep-2016	FILED: Notice of Errata Re: Certificate of Compliance; Certificate of Service (Appellees Wunderlich)

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

17 PROCEEDING ENTRIES

8.	23-Sep-2016	RECEIPT No.: ASC2016-00874 ; $140.00, Authorization: 65013246175, Applied to: WAYNE and JACQUELINE WUNDERLICH, husband and wife - Class B Filing Fee ($140.00) Paid for: WAYNE and JACQUELINE WUNDERLICH, husband and wife - By Intresys Inc (Memo: FormSet No. 1937809)
9.	7-Oct-2016	FILED: Amicus Curiae Brief of Home Builders Association of Central Arizona in Support of Petition for Review of a Decision of the Court of Appeals, Division One, by Plaintiff/Counterdefendant/Appellant Sirrah Enterprises, LLC; Certificate of Service; Certificate of Compliance (Amicus Curiae Home Builders Association of Central Arizona)
10.	7-Oct-2016	FILED: Motion for Leave to File Amicus Curiae Brief of Home Builders Association of Central Arizona in Support of Petition for Review of a Decision of the Court of Appeals, Division One, by Plaintiff/Counterdefendant/Appellant Sirrah Enterprises, LLC (Amicus Curiae Home Builders Association of Central Arizona)
11.	12-Oct-2016	A "Motion for Leave to File Amicus Curiae Brief of Home Builders Association of Central Arizona in Support of Petition for Review of a Decision of the Court of Appeals, Division One, by Plaintiff/Counterdefendant/Appellant Sirrah Enterprises, LLC" (Amicus Curiae Home Builders Association of Central Arizona) and the Brief of Amicus Curiae were filed on October 7, 2016. After consideration, IT IS ORDERED granting the motion. The brief shall be filed as of October 7, 2016. (Janet Johnson, Clerk)
12.	10-Jan-2017	ORDERED: Petition for Review of a Decision of the Court of Appeals, Division One, by Plaintiff/Counter-Defendant/Appellant Sirrah Enterprises, LLC = GRANTED. 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. FURTHER ORDERED: Request for Attorneys' Fees (Appellees Wunderlich) = CONTINUED.
13.	19-Jan-2017	FILED: Remaining Record from CofA: Instrument (1)
14.	23-Jan-2017	NOTICE OF ORAL ARGUMENT: Set for Tuesday, March 21, 2017, at 9:30 A.M. [twenty minutes (20) per side]
15.	23-Jan-2017	FILED: Notice of Filing Acknowledgment of Oral Argument (Jeffrey R. Adams will argue) (Appellees Wunderlich)
16.	23-Jan-2017	FILED: (DUPLICATE) Notice of Filing Acknowledgment of Oral Argument (Jeffrey R. Adams will argue) (Appellees Wunderlich)
17.	24-Jan-2017	FILED: Notice of Filing Acknowledgment of Oral Argument (John J. Belanger will argue) (Appellant Sirrah Enterprises LLC)

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