

Arizona Supreme Court
Civil Petition for Review - Appeal

CV-23-0085-PR

SATAMIAN v GREAT DIVIDE et al

Appellate Case Information

Case Filed: 29-Mar-2023
Case Closed:

Dept/Composition

En Banc

Hon. Robert Brutinel
Hon. Ann A. Scott Timmer
Hon. Clint Bolick
Hon. John R Lopez
Hon. James P Beene
Hon. William G Montgomery
Hon. Kathryn H. King

Side 1. GARBIS SATAMIAN, Plaintiff/Appellant

(Litigant Group) GARBIS SATAMIAN

- Garbis Satamian

Attorneys for: Plaintiff/Appellant

Lawrence R Moon, Esq. (AZ Bar No. 17000)
Brian Blankenship, Esq. (NV Bar No. 11522)
Charles L. Finlayson, Esq. (NV Bar No. 13685)

Side 2. GREAT DIVIDE INSURANCE CO., et al., Defendant/Appellee

(Litigant Group) GREAT DIVIDE INSURANCE CO., et al.

- Great Divide Insurance Company
- Nautilus Insurance Group

Attorneys for: Defendants/Appellees GD et al.

Bennett Evan Cooper, Esq. (AZ Bar No. 10819)
Timothy M Strong, Esq. (AZ Bar No. 21345)
James Lawson, Esq. (AZ Bar No. 36405)

(Litigant Group) RISK PLACEMENT SERVICES, INC.

- Risk Placement Services Inc

Attorneys for: Defendant/Appellee Risk Placement

Ryan P Sandstrom, Esq. (AZ Bar No. 29862)
Taylor J. Barlow, Esq. (AZ Bar No. 37622)

(Litigant Group) FARM BUREAU FINANCIAL SERVICES

- Farm Bureau Financial Services

Attorneys for: Defendant/Appellee Farm Bureau

Gregory B Iannelli, Esq. (AZ Bar No. 26549)
Matthew J Stanford, Esq. (AZ Bar No. 37168)

CASE STATUS

Apr 9, 2024.....Decision Rendered

Aug 22, 2023....Oral Argument Granted

Mar 29, 2023....Pending

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA	1 CA-CV 22-0375					
MAR	CV2021-010306	Declaratory Relief		Katherine Cooper, Authoring Judge of Order Comments: (none)		

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CASE DECISION

09-Apr-2024 OPINION

For the reasons set forth, we vacate the court of appeals' memorandum decision, but concur in the result, and affirm the trial court's dismissal of the complaint.

Filed: **09-Apr-2024**

Mandate:

Decision Disposition

CofA Vacated
Affirmed

John Lopez.....Author
Robert Brutinel.....Concur
Ann Timmer.....Concur
Clint Bolick.....Concur
James Beene.....Concur
William Montgomery.....Concur
Kathryn King.....Concur

34 PROCEEDING ENTRIES

1. 29-Mar-2023 FILED: Unopposed Motion for Procedural Order to Extend Time to File Petition for Review; Certificate of Service (Appellant Satamian)
2. 4-Apr-2023 An "Unopposed Motion for Procedural Order to Extend Time to File Petition for Review" (Appellant Satamian) having been filed on March 29, 2023,

IT IS ORDERED granting a first extension of time to file the petition for review on or before May 1, 2023. 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 1, 2023. (Tracie K. Lindeman, Clerk)
3. 1-May-2023 FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Memorandum Decision (Appellant Satamian)
4. 1-May-2023 FILED: Appendix; Certificate of Service (Appellant Satamian)
5. 1-May-2023 FILED: Motion to Supplement Record; Certificate of Service (Appellant Satamian)
6. 2-May-2023 FILED: Record From CofA: Electronic Record
7. 5-May-2023 RECEIPT No.: 2023-00457 ; \$280.00, Authorization: 8649006812998034, Applied to: GARBIS SATAMIAN - Class A Filing Fee (\$280.00) Paid for: GARBIS SATAMIAN - By nCourt LLC
8. 31-May-2023 FILED: Response to Petition for Review; Certificate of Service; Certificate of Compliance (Appellee Risk Placement Services)
9. 7-Jun-2023 RECEIPT No.: 2023-00531 ; \$140.00, Authorization: 8737179074160974, Applied to: RISK PLACEMENT SERVICES, INC. - Class B Filing Fee (\$140.00) Paid for: RISK PLACEMENT SERVICES, INC. - By nCourt LLC
10. 22-Aug-2023 ORDERED: Motion to Supplement Record = DENIED.

FURTHER ORDERED: Petition for Review = GRANTED as to issue number two only.

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. Any amicus briefs are due on or before September 26, 2023 and any responses to amicus briefs are due on or before October 16, 2023. Any amicus briefs or responses may not exceed 20 pages in length.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Risk Placement Services) = CONTINUED.
11. 28-Aug-2023 NOTICE OF ORAL ARGUMENT: Set for Tuesday, October 31, 2023 at 10:15 A.M. [twenty (20) minutes per side]
12. 30-Aug-2023 FILED: Notice of Acknowledgment of Oral Argument (Charles Finlayson will argue) (Appellant Satamian)
13. 31-Aug-2023 FILED: Notice of Acknowledgment of Oral Argument (Ryan P. Sandstrom will argue) (Appellee Risk Placement Services)
14. 8-Sep-2023 FILED: Notice of Appearance; Certificate of Service (Appellee Farm Bureau Insurance Company)
15. 8-Sep-2023 FILED: Joinder in Motion for Procedural Order to Extend Time to File Supplemental Briefs and to Continue Oral Argument; Certificate of Service (Appellee Farm Bureau Insurance Company)

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16. 8-Sep-2023 FILED: Joint Motion for Procedure Order to Extend Time to File Supplemental Briefs and to Continue Oral Argument; Certificate of Service (Appellant Garbis Satamian/ Appellee Risk Placement Services)
17. 12-Sep-2023 On September 8, 2023, Appellant Satamian and Appellee Risk Placement Services filed a "Joint Motion for Procedure Order to Extend Time to File Supplemental Briefs and to Continue Oral Argument," and Appellee Farm Bureau Property and Casualty filed its "Joinder in Motion for Procedural Order to Extend Time to File Supplemental Briefs and to Continue Oral Argument." Upon consideration,
- IT IS ORDERED granting the motions.
- IT IS FURTHER ORDERED oral argument in this matter is moved to Tuesday, January 16, 2024 at 10:15 a.m.
- IT IS FURTHER ORDERED extending all briefing dates in this matter by 30 days. Parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than October 12, 2023, any amicus briefs are due on or before October 26, 2023, and any responses to amicus briefs are due on or before November 15, 2023. Any amicus briefs or responses may not exceed 20 pages in length.
18. 12-Sep-2023 AMENDED NOTICE OF ORAL ARGUMENT: Set for Tuesday, January 16, 2024, at 10:15 A.M. [twenty (20) minutes per side]
19. 12-Sep-2023 FILED: Notice of Appearance of Counsel for Great Divide Insurance Company; Certificate of Service (Appellee Great Divide)
20. 12-Sep-2023 FILED: Supplemental Brief of Defendant-Appellee Great Divide Insurance Company; Certificate of Service; Certificate of Compliance (Appellee Great Divide)
21. 12-Sep-2023 FILED: Appendix to Supplemental Brief of Defendant-Appellee Great Divide Insurance Company; Certificate of Service (Appellee Great Divide)
22. 21-Sep-2023 FILED: Notice of Acknowledgment of Oral Argument (Ryan P. Sandstrom will argue) (Appellee Risk Placement Services)
23. 21-Sep-2023 FILED: Notice of Acknowledgment of Oral Argument (Charles L. Finlayson will argue) (Appellant Satamian)
24. 21-Sep-2023 FILED: Notice of Acknowledgment of Oral Argument (Gregory B. Iannelli will argue) (Appellee Farm Bureau Insurance Company)
25. 12-Oct-2023 FILED: Defendant/Appellee Risk Placement Services' Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellee Risk Placement Services)
26. 12-Oct-2023 FILED: Supplemental Brief by Defendant/Appellee Farm Bureau Property and Casualty Insurance Company; Certificate of Service; Certificate of Compliance (Appellee Farm Bureau Insurance Company)
27. 12-Oct-2023 FILED: Appellant's Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellant Satamian)
28. 8-Jan-2024 FILED: Letter to Lawrence Moon (Verification of Pro Hac Vice Status)
29. 8-Jan-2024 FILED: Letter to Attonrey Lawrence Moon (Verification of Pro Hac Vice Status)
30. 9-Jan-2024 FILED: Finlayson Documentation Pro Hac Vice Verification; Certificate of Service (Appellant Satamian)
31. 16-Jan-2024 ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Charles L. Finlayson and Ryan P. Sandstrom)
32. 9-Apr-2024 OPINION - For the reasons set forth, we vacate the court of appeals' memorandum decision, but concur in the result, and affirm the trial court's dismissal of the complaint. (Hon. John R Lopez IV - Author; Hon. Robert Brutinel - Concur; Hon. Ann A. Scott Timmer - Concur; Hon. Clint Bolick - Concur; Hon James P Beene - Concur; Hon William G Montgomery - Concur; Hon. Kathryn H. King - Concur)
33. 24-Apr-2024 FILED: Defendant-Appellee Great Divide Insurance Company's Motion for Reconsideration; Certificate of Service (Appellee Great Divide)
34. 29-Apr-2024 On April 24, 2024, Appellee Great Divide Insurance filed a "Motion for Reconsideration." Upon consideration of the Court en banc,
- IT IS ORDERED denying the motion for reconsideration. (Hon. John R Lopez IV)