

Court of Appeals, Division One**Civil Appeal****1 CA-CV 22-0712****TALKING ROCK v. INSCRIPTION CANYON, et al.****Appellate Case Information**

Case Filed: 30-Nov-2022

Case Closed:

Dept/Composition**Department C**Hon. D Steven Williams
Hon. Samuel A Thumma
Hon. Paul J McMurdie**Side 1. TALKING ROCK LAND, LLC, Plaintiff/Appellant/Cross-Appellee****(Litigant Group) TALKING ROCK LAND, LLC**

- Talking Rock Land LLC

Attorneys for: Plaintiff/Appellant/Cross-Appellee

David E Shein, Esq. (AZ Bar No. 11708)

Erik Daniel Smith, Esq. (AZ Bar No. 33060)

Todd Matthew Adkins, Esq. (AZ Bar No. 25338)

Side 2. INSCRIPTION CANYON RANCH, LP, et al., Defendant/Appellee/Cross-Appellant**(Litigant Group) INSCRIPTION CANYON RANCH, LP, et al.**

- Inscription Canyon Ranch LP
- YOLO Cattle Company
- Stacey C Croll
- ESTATE: BRYAN C CROLL 2005 GIFT TRUST u/t/a dated June 17, 2005
- Bryan C Croll
- ESTATE: STACEY C CROLL 2005 GIFT TRUST u/t/a dated June 7, 2005
- ESTATE: STEVEN F CROLL 2005 GIFT TRUST u/t/a dated June 14, 2005
- Johanna Svenson Croll
- ESTATE: BRYAN CROLL 2012 GIFT TRUST u/t/a dated December 28, 2012
- Kerry Lynn Croll
- ESTATE: STEVEN CROLL 2012 GIFT TRUST u/t/a dated December 11, 2012
- Derek O Reiber
- ESTATE: REIBER GIFT TRUST u/t/a dated December 15, 2012

Attorneys for: Defendant/Appellee/Cross-Appellant

Lonnie J Williams, Jr, Esq. (AZ Bar No. 5966)

Timothy Lauxman, Esq. (AZ Bar No. 35222)

Lori Marschke, Esq. (AZ Bar No. 24059)

CASE STATUS

Apr 9, 2024.....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2019-056128	Declaratory Judgment		Danielle J Viola, Authoring Judge of Order Sara J Agne, Authoring Judge of Order		

3 OPEN DUE DATES**Response to Costs due****Due By:**

Monday, May 6, 2024

Re: FILED: Statement of Attorneys' Fees and Costs; Certificate of Service Re Statement of Attorneys' Fees and Costs; Exhibit 1 Declaration of Lonnie J. Williams, Jr. with Exhibits 1-A through 1-C (Appellee/Cross-Appellant)

Response to Attorneys Fees due**Due By:**

Monday, May 6, 2024

Re: FILED: Statement of Attorneys' Fees and Costs; Certificate of Service Re Statement of Attorneys' Fees and Costs; Exhibit 1 Declaration of Lonnie J. Williams, Jr. with Exhibits 1-A through 1-C (Appellee/Cross-Appellant)

Petition for Review to ASC due**Due By:**

Thursday, May 9, 2024

Re: OPINION (Affirmed) Hon Samuel A Thumma - Author; Hon D Steven Williams - Concur; Hon Paul J McMurdie - Concur

Court of Appeals, Division One**Civil Appeal****1 CA-CV 22-0712****TALKING ROCK v. INSCRIPTION CANYON, et al.****2 PENDING MATTERS****General Motion**

Filed: 22-Apr-2024

*Statement of Attorneys' FEES and Costs (Appellee/Cross-Appellant)***General Motion**

Filed: 22-Apr-2024

*Statement of Attorneys' Fees and COSTS (Appellee/Cross-Appellant)***2 CASE DECISIONS****09-Apr-2024 OPINION**

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

Filed: **09-Apr-2024**

Mandate:

Decision Disposition

Affirmed**09-Apr-2024 MEMORANDUM DECISION**

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

Filed: **09-Apr-2024**

Mandate:

Decision Disposition

Affirmed**47 PROCEEDING ENTRIES**

1. 30-Nov-2022 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 11/03/22
2. 30-Nov-2022 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None
3. 30-Nov-2022 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 8-Dec-2022 FILED: Notice of Pending Motion in Superior Court; Certificate of Service (Appellant)
5. 9-Dec-2022 ORDERED: Pursuant to Arizona Rule of Civil Appellate Procedure 3(b), staying this appeal until 01/23/2023. FURTHER ORDERED: Revesting jurisdiction in MAR County Superior Court and authorizing that court to consider pending Motion to Amend Judgment and Application for Further Relief. FURTHER ORDERED: Directing appellant to file a notice in this court with a copy of ruling within 10 days after its entry. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: If superior court has not ruled on motion by 01/23/2023, appellant must file a notice in this court regarding status of motion. FURTHER ORDERED: Vacating the 12/20/2022 due date for case management statement and the 01/30/2023 due date for opening brief. Court will address briefing schedule after superior court rules on pending motion. Melina Brill ProTem Judge - Author
6. 13-Dec-2022 RECEIPT No.: 2022-01248 ; \$280.00, Authorization: #47006650566, Applied to: TALKING ROCK LAND, LLC - Class A Filing Fee (\$280.00) Paid for: Shein Phanse Adkins PC - By nCourt LLC
7. 4-Jan-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes Ruling dated 12/21/2022)
8. 5-Jan-2023 FILED: Notice of Superior Court Ruling; Certificate of Service; Exhibit A (Appellant)
9. 5-Jan-2023 ORDERED: Continuing the stay of this appeal until 02/06/2023. FURTHER ORDERED: Signed order re: minute entry of 12/21/2022 filed 12/23/2022 due within 10 days after its entry. If appeal reinstated by filing of signed order, case management statement is due 02/16/2023, and opening brief due 03/08/2023. Melina Brill ProTem Judge - Author
10. 17-Jan-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (includes Notice of Cross-Appeal filed 1/11/2023)
11. 19-Jan-2023 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Amending the caption and docket in this appeal by adding the cross-appeal and the designations of "cross-appellants" and "cross-appellee." FURTHER ORDERED: Appellees/cross-appellants' additional \$140.00 filing fee, payable to the clerk of this court, due 01/30/2023. FURTHER ORDERED: Case management statement due 01/31/2023, the cross-appeal case management statement due 02/10/2023, and the opening brief due 02/27/2023. Melina Brill ProTem Judge - Author
12. 19-Jan-2023 FILED: Appellant's Motion for Procedural Order for Extension of Time to File Opening Brief; Certificate of Service (Appellant/Cross-Appellee)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 22-0712****TALKING ROCK v. INSCRIPTION CANYON, et al.****47 PROCEEDING ENTRIES**

13.	19-Jan-2023	ORDERED: Amending the 01/19/2023 order by deleting the last paragraph on the first page and replacing it with: IT IS FURTHER ORDERED that appellees/cross-appellants' \$280.00 filing fee, payable to the clerk of this court, is due on January 30, 2023. FURTHER ORDERED: Deleting the paragraph on second page of the order and replacing it with: IT IS FURTHER ORDERED that the case management statement is due on February 16, 2023, the cross-appeal case management statement is due on February 23, 2023, and the opening brief is due on March 8, 2023. Melina Brill ProTem Judge - Author
14.	20-Jan-2023	ORDERED: Appellant's Motion for Procedural Order for Extension of Time to File Opening Brief (Appellant/Cross-Appellee) = GRANTED. Due date EXTENDED from Wednesday, 03-08-2023 to Wednesday, 03-22-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
15.	23-Jan-2023	FILED: Notice of Filing Certified Transcripts; Certificate of Service; Reporter's Transcript - 03/04/2022 - Oral Argument (Javacia Huff) (Reporter's Transcript - 04/19/2021 - Scheduling Conference (Mieghley Williams-McGuire)) (Reporter's Transcript - 03/19/2021 - Status Conference (Mieghley Williams-McGuire)) (Reporter's Transcript - 05/20/2021 - Status Conference (Debra Price)) (Appellant/Cross-Appellee)
16.	30-Jan-2023	RECEIPT No.: 2023-00103 ; \$280.00, Authorization: #30015531440, Applied to: INSCRIPTION CANYON RANCH, LP, et al. - Class A Filing Fee (\$280.00) Paid for: Stinson LLP - By nCourt LLC
17.	16-Feb-2023	FILED: Case Management Statement (Appellant/Cross-Appellee)
18.	16-Feb-2023	FILED: Certificate of Service (Appellant/Cross-Appellee)
19.	23-Feb-2023	FILED: Case Management Statement; Certificate of Service (Appellee/Cross-Appellant)
20.	22-Mar-2023	FILED: Opening Brief of Appellant Talking Rock Land, LLC Oral Argument Requested; Certificate of Compliance; Certificate of Service of Opening Brief of Plaintiff/Appellant/Cross-Appellee Talking Rock Land, LLC (Appellant/Cross-Appellee)
21.	18-Apr-2023	FILED: Motion for Procedural Order for Extension of Time to File Combined Answering Brief and Opening Brief on Cross-Appeal; Certificate of Service (Appellee/Cross-Appellants)
22.	19-Apr-2023	ORDERED: Motion for Procedural Order for Extension of Time to File Combined Answering Brief and Opening Brief on Cross-Appeal (Appellee/Cross-Appellants) = GRANTED. Due date EXTENDED from Monday, 05-08-2023 to Wednesday, 05-31-2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
23.	31-May-2023	FILED: Briefs of Appellees and Cross-Appellants Inscription Canyon Ranch, LP (et al); Certificate of Compliance; Certificate of Service; Appendix to Cross-Appellants' Opening Brief on Cross-Appeal (Appellee/Cross-Appellant)
24.	20-Jun-2023	FILED: Appellant's Motion for Procedural Order for Extension of Time to File Combined Answering/Reply Brief; Certificate of Service; Exhibit A (Appellant/Cross-Appellee)
25.	21-Jun-2023	ORDERED: Appellant's Motion for Procedural Order for Extension of Time to File Combined Answering/Reply Brief (Appellant/Cross-Appellee) = GRANTED. Due date EXTENDED from Monday, 07-10-2023 to Wednesday, 08-02-2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
26.	2-Aug-2023	FILED: Appellant's Combined (1) Reply Brief and (2) Answering Brief on Cross-Appeal; Certificate of Compliance; Certificate of Service of Combined Reply and Answering Brief of Plaintiff/Appellant/Cross-Appellee Talking Rock Land, LLC (Appellant/Cross-Appellee)
27.	11-Aug-2023	FILED: Appellant's Request for Oral Argument; Certificate of Service of Plaintiff/Appellant/Cross-Appellee Talking Rock Land, LLC's Request for Oral Argument (Appellant/Cross-Appellee)
28.	16-Aug-2023	FILED: Motion for Procedural Order for Extension of Time to File Reply Brief on Cross-Appeal; Certificate of Service re Motion for Procedural Order (Appellee/Cross-Appellant)
29.	17-Aug-2023	ORDERED: Motion for Procedural Order for Extension of Time to File Reply Brief on Cross-Appeal (Appellee/Cross-Appellant) = GRANTED and extending the time to file the cross-appeal reply brief from 08/22/2023 to 09/08/2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
30.	7-Sep-2023	FILED: Reply Brief on Cross-Appeal of Cross-Appellants Inscription Canyon Ranch, LP (et al); Certificate of Compliance; Certificate of Service (Appellee/Cross-Appellant)
31.	22-Sep-2023	ORDERED: Opening Brief of Appellant Talking Rock Land, LLC ORAL ARGUMENT REQUESTED (Appellant/Cross-Appellee) and Appellant's Request for Oral Argument (Appellant/Cross-Appellant) = GRANTED. Hon David B Gass - Author
32.	27-Sep-2023	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
33.	6-Oct-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record

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34.	25-Oct-2023	CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 12-13-23, 10:15 am, CONFERENCE ROOM.
35.	30-Oct-2023	FILED: Notice of Oral Argument
36.	31-Oct-2023	FILED: Return Receipt for Notice of Oral Argument, signed by Lonnie Williams, Jr. on 10/30/2023 (Appellee/Cross-Appellant)
37.	1-Nov-2023	FILED: Return Receipt for Notice of Oral Argument, signed by David Shein on 10/30/2023 (Appellant/Cross-Appellee)
38.	12-Dec-2023	FILED: Amended Notice of Oral Argument
39.	12-Dec-2023	FILED: Return Receipt for Notice of Oral Argument, signed by David Shein on 12/12/2023 (Appellant/Cross-Appellee)
40.	12-Dec-2023	FILED: Return Receipt for Notice of Oral Argument, signed by Lonnie Williams on 12/12/2023 (Appellee/Cross-Appellant)
41.	13-Dec-2023	FILED: Sign-in Sheet/Case is Under Advisement as of 12/13/2023
42.	15-Jan-2024	FILED: Notice of Change of Firm; Certificate of Service of Plaintiff/Appellant/Cross-Appellee Talking Rock Land, LLC's Notice of Change of Firm (Appellant/Cross-Appellee)
43.	9-Apr-2024	OPINION (Affirmed) Hon Samuel A Thumma - Author; Hon D Steven Williams - Concur; Hon Paul J McMurdie - Concur
44.	9-Apr-2024	FILED: Decision Distribution Notification
45.	9-Apr-2024	MEMORANDUM DECISION (Affirmed) Hon Samuel A Thumma - Author; Hon D Steven Williams - Concur; Hon Paul J McMurdie - Concur
46.	9-Apr-2024	FILED: Decision Distribution Notification
47.	22-Apr-2024	FILED: Statement of Attorneys' Fees and Costs; Certificate of Service Re Statement of Attorneys' Fees and Costs; Exhibit 1 Declaration of Lonnie J. Williams, Jr. with Exhibits 1-A through 1-C (Appellee/Cross-Appellant)