

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0434

AMERICAN EXPRESS v. EXPOSITO

Appellate Case Information

Case Filed: 13-Jul-2023

Case Closed: 4-Aug-2023

Reinstated x 1: 14-Sep-2023 Abandoned

Re-Closed:

Dept/Composition

Department D

Hon. Samuel A Thumma
Hon. Jennifer B Campbell
Hon. Michael J Brown

Side 1. AMERICAN EXPRESS NATIONAL BANK, Plaintiff/Appellant

(Litigant Group) AMERICAN EXPRESS NATIONAL BANK

- American Express National Bank

Attorneys for: Plaintiff/Appellant

Darren Tallman, Esq. (AZ Bar No. 33603)

Lambros P Karandreas, Esq. (AZ Bar No. 12213)

Side 2. MARK EXPOSITO, Defendant/Appellee

(Litigant Group) MARK EXPOSITO

- Mark Exposito

PRO SE

CASE STATUS

Jun 4, 2024.....Decision Rendered

Sep 14, 2023.....Reinstated Case

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2019-009566	Contracts- open or slated account		Danielle J Viola, Authoring Judge of Order		

CASE DECISION

04-Jun-2024 MEMORANDUM DECISION

Michael Brown.....Author

Samuel Thumma.....Concur

Jennifer Campbell.....Concur

Filed: 04-Jun-2024

Mandate:

Decision Disposition

Affirmed in Part
Reversed
Remanded in Part

21 PROCEEDING ENTRIES

- 13-Jul-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/14/23
- 13-Jul-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None sent with e-Record
- 13-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 13-Jul-2023 FILED: Additional Record on Appeal:
Physical Exhibits: Hearing Date 01/10/2023 - List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 in a Box
- 2-Aug-2023 FILED: Returned US Mail, Appellate Clerk Notice dated 07/13/2023, addressed to Mark Exposito, Attempted – Unable to Forward (Not Resent)
- 4-Aug-2023 FILED: Letter, 8/4/23, to Clerk, Maricopa County Superior Court, Re: Pursuant to A.R.S. 12-322A appeal shall be deemed abandoned. Physical record returned.
- 29-Aug-2023 FILED: Motion for Reinstatement of Appeal; Certificate of Service (Appellant)
- 1-Sep-2023 RECEIPT No.: 2023-00842 ; \$280.00, Authorization: #44008599231, Applied to: AMERICAN EXPRESS NATIONAL BANK - Class A Filing Fee (\$280.00) Paid for: Zwicker & Associates PC - By nCourt LLC
- 14-Sep-2023 ORDERED: Motion for Reinstatement of Appeal (Appellant) = GRANTED and reinstating this appeal. FURTHER ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 10/16/2023. Signed order re: minute entry of 05/15/2023 filed 05/16/2023 due within 10 days after its entry. If appeal reinstated by filing of signed order, case management statement due 10/26/2023 and opening brief due 11/15/2023. Melina Brill ProTem Judge - Author

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0434****AMERICAN EXPRESS v. EXPOSITO****21 PROCEEDING ENTRIES**

10.	5-Oct-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
11.	26-Oct-2023	FILED: Case Management Statement; Exhibit A (Copy of Maricopa County Superior Court Order re: Final Judgment); Exhibit B (Copy of Maricopa County Superior Court ME dated 09/19/2023 re: Motion for Relief from Final Judgment) (Appellant)
12.	9-Nov-2023	FILED: Motion for Procedural Order to Extend the Time to File Appellant's Brief (Opening Brief); Certification Of Service (Appellant)
13.	13-Nov-2023	ORDERED: Motion for Procedural Order to Extend the Time to File Appellant's Brief (Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 11-15-2023 to Friday, 12-15-2023. If the brief is not timely filed, the court will dismiss this appeal. Barbara Vidal Vaught ProTem Judge - Author
14.	15-Dec-2023	FILED: Appellant's Opening Brief; Certificate of Compliance; Certification of Service (Appellant)
15.	5-Feb-2024	ORDERED: Submitting this appeal for decision on the record and opening brief. Melina Brill ProTem Judge - Author
16.	28-Feb-2024	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
17.	7-Mar-2024	FILED: Supplemented Superior Court e-Record with Revised Index of Record
18.	26-Mar-2024	CLNDR: CONFERENCE, Department D, 5-8-24, COURTROOM 2.
19.	16-Apr-2024	FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 01/10/2023 - List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 in a box
20.	4-Jun-2024	MEMORANDUM DECISION (Affirmed in Part, Reversed, Remanded in Part) Hon Michael J Brown - Author; Hon Samuel A Thumma - Concur; Hon Jennifer B Campbell - Concur
21.	4-Jun-2024	FILED: Decision Distribution Notification