

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0495

GRAHAM v. CARPENTER, et al.

Appellate Case Information

Case Filed: 8-Aug-2023

Case Closed:

Dept/Composition

Department E

Hon. Anni Hill Foster
Hon. Brian Y Furuya
Hon. Randall M Howe

Side 1. JEFF GRAHAM, Plaintiff/Appellant

(Litigant Group) JEFF GRAHAM

- Jeff Graham

Attorneys for: Plaintiff/Appellant

John Christopher Smith, Esq. (AZ Bar No. 23008)

Will Sherman, Esq. (AZ Bar No. 34221)

Jeffrey J Jarvi, Esq. (MT Bar No. jeffreyjarvi)

Side 2. CARPENTER HAZLEWOOD DELGADO & BOLEN, LLP, Defendant/Appellee

(Litigant Group) CARPENTER HAZLEWOOD DELGADO & BOLEN, LLP

- CHDB Law LLP

Co-Counsel for: Defendant/Appellee

Joshua M Bolen, Esq. (AZ Bar No. 24053)

Ember Van Vranken, Esq. (AZ Bar No. 35594)

Jodi L Mullis, Esq. (AZ Bar No. 24044)

CASE STATUS

Jun 27, 2024....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2020-094884, Breach of Contract, Patricia A Trebesch, Authoring Judge of Order.

DESCENDENT CASE(S)

ASC CV-24-0136-PR

2 PENDING MATTERS

General Motion

Filed: 14-Jun-2024

\* Defendant Carpenter Hazlewood Delgado & Bolen, LLP's Verified Statement of Attorneys' Fees and COSTS (Appellee)

General Motion

Filed: 14-Jun-2024

\* Defendant Carpenter Hazlewood Delgado & Bolen, LLP's Verified Statement of Attorneys' FEES and Costs (Appellee)

CASE DECISION

04-Jun-2024 MEMORANDUM DECISION

Randall Howe.....Author

Anni Foster.....Concur

Brian Furuya.....Concur

Filed: 04-Jun-2024

Mandate:

Decision Disposition

Affirmed

29 PROCEEDING ENTRIES

- 1. 8-Aug-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 07/10/23
2. 8-Aug-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 9-Aug-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 11-Aug-2023 FILED: Notice of Payment of Appellate Filing Fee; Certificate of Service (Appellant)
5. 17-Aug-2023 RECEIPT No.: 2023-00768 ; \$280.00, Authorization: #29010233806, Applied to: JEFF GRAHAM - Class A Filing Fee (\$280.00) Paid for: Gerald K Smith and John C Smith Law Offices PLLC - By nCourt LLC

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 23-0495****GRAHAM v. CARPENTER, et al.****29 PROCEEDING ENTRIES**

6. 21-Aug-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
7. 29-Aug-2023 FILED: Motion for Procedural Order: Motion to Associate Jeffrey Jarvi as Counsel for Plaintiff/Appellant Pro Hac Vice; Certificate of Service (Appellant)
8. 29-Aug-2023 FILED: Notice of Errata; Certificate of Service (Appellant)
9. 29-Aug-2023 FILED: Case Management Statement; Rule 54(c) Judgment Re: A.R.S. § 12-349 (Appellant)
10. 30-Aug-2023 RECEIPT No.: 2023-00830 ; \$140.00, Check Number: 7514, Applied to: CARPENTER HAZLEWOOD DELGADO & BOLEN, LLP - Class B Filing Fee (\$140.00) Paid for: Carpenter Hazlewood Delgado & Bolen - By Carpenter Hazlewood Delgado & Bolen
11. 30-Aug-2023 ORDERED: Motion for Procedural Order: Motion to Associate Jeffrey Jarvi as Counsel for Plaintiff/Appellant Pro Hac Vice (Appellant) = GRANTED and permitting attorney Jeffrey J. Jarvi to appear pro hac vice as co-counsel for appellant with John C. Smith of Gerald K. Smith and John C. Smith Law Offices, PLLC, as local counsel. Melina Brill ProTem Judge - Author
12. 10-Oct-2023 FILED: Opening Brief of Appellant Jeff Graham; Certificate of Compliance; Certificate of Service (Appellant)
13. 7-Nov-2023 FILED: Defendant/Appellee's Motion for Procedural Order to Extend Time to File Answering Brief; Defendant/Appellee's Certificate of Service of Motion for Procedural Order to Extend Time to File Answering Brief (Appellee)
14. 7-Nov-2023 ORDERED: Defendant/Appellee's Motion for Procedural Order to Extend Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 11-20-2023 to Wednesday, 12-20-2023. 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
15. 5-Dec-2023 FILED: Unopposed Motion to Extend Time to File Appellant's Reply Brief; Certificate of Service (Appellant)
16. 5-Dec-2023 ORDERED: Unopposed Motion to Extend Time to File Appellant's Reply Brief (Appellant) = GRANTED and extending the time to file the reply brief to 01/29/2024. 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
17. 20-Dec-2023 FILED: Appellee's Answering Brief; Certificate of Compliance for Appellee's Answering Brief; Certificate of Service of Appellee's Answering Brief (Appellee)
18. 29-Jan-2024 FILED: Reply Brief of Appellant Jeff Graham; Certificate of Compliance; Certificate of Service (Appellant)
19. 28-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
20. 11-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
21. 26-Mar-2024 CLNDR: CONFERENCE, Department E, 5-9-24, CONFERENCE ROOM.
22. 4-Jun-2024 MEMORANDUM DECISION (Affirmed) Hon Randall M Howe - Author; Hon Anni Hill Foster - Concur; Hon Brian Y Furuya - Concu
23. 4-Jun-2024 FILED: Decision Distribution Notification
24. 14-Jun-2024 FILED: Defendant Carpenter Hazlewood Delgado & Bolen, LLP's Verified Statement of Attorneys' Fees and Costs; Defendant/Appellee Carpenter Hazlewood Delgado & Bolen, LLP's Certificate of Service of Verified Statement of Attorneys' Fees and Costs (Appellee)
25. 18-Jun-2024 FILED: Partial Opposition to CHDB's Verified Statement of Attorney's Fees and Costs; Certificate of Service; Appellee's Answering Brief (Appellant)
26. 20-Jun-2024 FILED: Appellee Carpenter Hazlewood Delgado & Bolen, LLP's Reply to Appellant's Partial Opposition to the Verified Statement of Attorneys' Fees and Costs; Defendant/Appellee Carpenter Hazlewood Delgado & Bolen, LLP's Certificate of Service of Reply to Partial Opposition to the Verified Statement of Fees and Costs on Appeal (Appellee)
27. 27-Jun-2024 ORDERED: Defendant Carpenter Hazlewood Delgado & Bolen, LLP's Verified Statement of Attorneys' Fees and COSTS (Appellee) = GRANTED IN PART. Awarding attorneys' fees in the amount of \$16,147.50 and costs in the amount of \$196.22 to defendant. Hon Randall M Howe - Author
28. 28-Jun-2024 FILED: Email Notice from ASC re: Petition for Review filed 6/27/24; request for partial record
29. 28-Jun-2024 FILED: Letter forwarding partial record to Arizona Supreme Court