

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 23-0507**

**NUI v. KDL**

**Appellate Case Information**

Case Filed: 11-Aug-2023  
Case Closed: 1-Jul-2024

**Decision**

**Dept/Composition**

**Department B**

Hon. Andrew M Jacobs  
Hon. Jennifer M Perkins  
Hon. David D Weinzweig

**Side 1. NUI HUI, LP, Plaintiff/Appellee**

(Litigant Group) NUI HUI, LP

- Nui Hui LP

**Attorneys for: Plaintiff/Appellee**

Nat Clarkson, Esq. (AZ Bar No. 21027)

**Side 2. KDL INVESTMENTS, LLC, Defendant/Appellant**

(Litigant Group) KDL INVESTMENTS, LLC

- KDL Investments LLC

**Attorneys for: Defendant/Appellant**

Brad A Denton, Esq. (AZ Bar No. 16454)

**CASE STATUS**

Jul 1, 2024.....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2021-092684	Breach of Contract		Rodrick J Coffey, Authoring Judge of Order		

**CASE DECISION**

**23-May-2024 MEMORANDUM DECISION**

Jennifer Perkins.....Author  
Andrew Jacobs.....Concur  
David Weinzweig.....Concur

Filed: 23-May-2024 Mandate: 01-Jul-2024

Decision Disposition
<b>Affirmed</b>

**27 PROCEEDING ENTRIES**

- 11-Aug-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 07/12/23
- 11-Aug-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 14-Aug-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 15-Aug-2023 FILED: Notice of Paying Appearance Fee; Certificate of Service (Appellant)
- 18-Aug-2023 RECEIPT No.: 2023-00779 ; \$280.00, Authorization: #30009265930, Applied to: KDL INVENSTMENTS, LLC - Class A Filing Fee (\$280.00) Paid for: Denton Peterson Dunn PLLC - By nCourt LLC
- 21-Aug-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
- 5-Sep-2023 FILED: Case Management Statement (Appellant)
- 6-Sep-2023 FILED: Appellee's Notice of Paying Filing Fee; Certificate of Service (Appellee)
- 12-Sep-2023 RECEIPT No.: 2023-00874 ; \$140.00, Authorization: #55006870139, Applied to: NUI HUI, LP - Class B Filing Fee (\$140.00) Paid for: Anderson Clarkson Brown PLLC - By nCourt LLC
- 4-Oct-2023 FILED: Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
- 4-Oct-2023 ORDERED: Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 10-13-2023 to Monday, 11-13-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
- 9-Nov-2023 FILED: Reporter's Transcript - 05/08/2023 - Telephonic Oral Argument (Kimberly McCright) (Appellant)
- 13-Nov-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)

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**Civil Appeal**

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14. 20-Dec-2023 FILED: Response Brief (Answering Brief); Certificate of Compliance; Certificate of Service (Appellee)
15. 3-Jan-2024 FILED: Stipulation for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
16. 3-Jan-2024 ORDERED: Stipulation for Extension of Time to File Reply Brief (Appellant) = DENIED. Melina Brill ProTem Judge - Author
17. 3-Jan-2024 FILED: Stipulation for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
18. 4-Jan-2024 ORDERED: Stipulation for Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 01-09-2024 to Tuesday, 01-16-2024. If brief not timely filed, court will submit this appeal for decision on record and filed briefs. Melina Brill ProTem Judge - Author
19. 16-Jan-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
20. 30-Jan-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
21. 9-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
22. 26-Feb-2024 CLNDR: CONFERENCE, Department B, 4-23-24, COURTROOM 2.
23. 23-May-2024 MEMORANDUM DECISION (Affirmed) Hon Jennifer M Perkins - Author; Hon Andrew M Jacobs - Concur; Hon David D Weinzweig - Concur
24. 23-May-2024 FILED: Decision Distribution Notification
25. 27-May-2024 FILED: Application for Attorneys' [sic] Fees and Costs; Certificate of Service (Appellee)
26. 25-Jun-2024 ORDERED: Application for Attorneys' [sic] Fees and Costs (Appellee) = GRANTED/awarding Appellee attorney fees in the amount of \$24,480.00 and costs in the amount of \$154.81. Hon Jennifer M Perkins - Author
27. 1-Jul-2024 FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.