

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0747

POINT 16 v. GTIS-HOV, et al.

Appellate Case Information

Case Filed: 28-Nov-2023

Case Closed:

Dept/Composition

Department B

Hon. Andrew M Jacobs
Hon. Jennifer M Perkins
Hon. David B Gass

Side 1. POINT 16 COMMUNITY ASSOCIATION, Plaintiff/Appellant

(Litigant Group) POINT 16 COMMUNITY ASSOCIATION

- Point 16 Community Association

Attorneys for: Plaintiff/Appellant

Kyle A Israel, Esq. (AZ Bar No. 15822)

Side 2. GTIS-HOV POINTE 16, LLC, et al., Defendant/Appellee

(Litigant Group) GTIS-HOV POINTE 16, LLC, et al.

- GTIS-HOV Pointe 16 LLC
K Hovnanian Phoenix Division Inc

Attorneys for: Defendants/Appellees

Aaron Matthew Finter, Esq. (AZ Bar No. 22437)

CASE STATUS

Jul 9, 2024.....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2022-009451, Dwelling Action, Jennifer C Ryan-Touhill, Authoring Judge of Order.

2 OPEN DUE DATES

Motion for Reconsideration due

Due By:

Wednesday, July 24, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Andrew M Jacobs - Author; Hon Jennifer M Perkins - Concur; Hon David B Gass - Concur

Petition for Review to ASC due

Due By:

Thursday, August 8, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Andrew M Jacobs - Author; Hon Jennifer M Perkins - Concur; Hon David B Gass - Concur

CASE DECISION

09-Jul-2024 MEMORANDUM DECISION

Andrew Jacobs.....Author

Jennifer Perkins.....Concur

David Gass.....Concur

Filed: 09-Jul-2024

Mandate:

Decision Disposition

Affirmed

29 PROCEEDING ENTRIES

- 1. 28-Nov-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/30/23
2. 28-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 28-Nov-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 30-Nov-2023 FILED: Reporter's Transcript - 08/18/2023 - Oral Argument (Kimberly McCright) (Appellant)
5. 30-Nov-2023 FILED: Appellant's Notice of Filing Transcript; Certificate of Service (Appellant)
6. 30-Nov-2023 FILED: Certificate of Service (Duplicate) (Appellant)
7. 6-Dec-2023 RECEIPT No.: 2023-01143 ; \$280.00, Authorization: # 40006281347, Applied to: POINT 16 COMMUNITY ASSOCIATION - Class A Filing Fee (\$280.00) Paid for: Israel & Gerity PLLC - By nCourt LLC
8. 7-Dec-2023 FILED: Case Management Statement (Appellant)
9. 11-Dec-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0747****POINT 16 v. GTIS-HOV, et al.****29 PROCEEDING ENTRIES**

10.	11-Dec-2023	FILED: Settlement Conference Program Notice
11.	13-Dec-2023	FILED: Defendants/Appellees' Notice of Payment of Filing Fee; Certificate of Service – Notice of Payment of Defendants/Appellees' Filing Fee (Appellee)
12.	19-Dec-2023	RECEIPT No.: 2023-01184 ; \$140.00, Authorization: 53016607217, Applied to: GTIS-HOV POINTE 16, LLC, et al. - Class B Filing Fee (\$140.00) Paid for: Schern Richardson Finter PLC - By nCourt LLC
13.	29-Jan-2024	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
14.	11-Mar-2024	FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service Regarding Appellees' Answering Brief (Appellee)
15.	21-Mar-2024	FILED: Appellant's Request For Oral Argument and Motion to Consolidate Oral Arguments; Certificate of Service (Appellant)
16.	21-Mar-2024	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
17.	26-Mar-2024	ORDERED: Appellant's Request for Oral Argument and Motion to Consolidate Oral Arguments (Appellant) = GRANTED (request for oral argument). FURTHER ORDERED: Any response to the motion to consolidate oral arguments be filed by 04/01/2024. Hon David B Gass - Author
18.	1-Apr-2024	FILED: Appellees' Response to Appellant's Motion to Consolidate Oral Arguments; Certificate of Service Regarding Appellees' Response to Motion to Consolidate Oral Arguments (Appellees)
19.	2-Apr-2024	ORDERED: Appellant's Request For Oral Argument and Motion to Consolidate Oral Arguments (Appellant) = DENIED. Oral arguments will be scheduled in the normal course of the court's calendar, and the court will notify counsel of the date. FURTHER ORDERED: Assigning this appeal to Department B. Hon David B Gass - Author
20.	10-Apr-2024	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
21.	19-Apr-2024	FILED: Supplemented Superior Court e-Record with Revised Index of Record
22.	26-Apr-2024	CLNDR: MONTHLY COURT CASE CALENDAR, Department B, 6-11-24, 10:45 am, COURTROOM 2.
23.	26-Apr-2024	FILED: Notice of Oral Argument
24.	3-May-2024	FILED: Return Receipt Re Oral Argument, signed by Kyle Israel, on 04/26/2024 (Appellant)
25.	30-May-2024	FILED: Memorandum: Substitute Judge Gass for Judge Weinzweig (Chief Judge Gass)
26.	4-Jun-2024	FILED: Return Receipt for Notice of Oral Argument, signed by Aaron Finter on 04/26/2024 (Appellee)
27.	14-Jun-2024	FILED: Sign-in Sheet/Case is Under Advisement as of 6/11/24
28.	9-Jul-2024	MEMORANDUM DECISION (Affirmed) Hon Andrew M Jacobs - Author; Hon Jennifer M Perkins - Concur; Hon David B Gass - Concur
29.	9-Jul-2024	FILED: Decision Distribution Notification