

**Court of Appeals, Division One**  
**Unemployment Board**

**1 CA-UB 22-0017**

**AGUILAR v. ADES/ALPHA**

**Appellate Case Information**

Case Filed: 28-Jan-2022

Case Closed:

**Dept/Composition**

**Department D**

Hon. Paul J McMurdie  
Hon. Michael J Brown  
Hon. Michael S Catlett

**Side 1. TIA AGUILAR, Appellant**

**(Litigant Group) TIA AGUILAR**

- Tia Aguilar

**Attorneys for: Appellant**

Chris R Baniszewski, Esq. (AZ Bar No. 15617)  
Yvonne S Tindell, Esq. (AZ Bar No. 35330)

**Side 2. ARIZONA DEPARTMENT OF ECONOMIC SECURITY, an Agency,**

**and,**

**ALPHA OMEGA RESTAURANT EQUIPMENT REPAIR LLC, Appellee**

**(Litigant Group) ARIZONA DEPARTMENT OF ECONOMIC SECURITY**

- Arizona Department of Economic Security

**Attorneys for: Appellee**

Jennifer R Blum, Esq. (AZ Bar No. 29716)

**(Litigant Group) ALPHA OMEGA RESTAURANT EQUIPMENT REPAIR LLC**

- Alpha Omega Restaurant Equipment Repair LLC PRO SE

**CASE STATUS**

May 10, 2023....Under Advisement

**PREDECESSOR CASE(S)**

UAB U-1717124-001-B

**Cause/Charge/Class**

**Judgment/Sentence**

**Judge, Role <Comments>**

**Trial**

**Dispo**

**OPEN DUE DATE**

**Supplemental Reply Brief due**

**Due By:**

Tuesday, May 7, 2024

Re: \* (The court has determined that supplemental briefs will aid in resolving this appeal) ORDERED: That such briefing address the following (See Order). FURTHER ORDERED: Supplemental opening brief must be filed no later than 3/7/24 and shall not exceed 50

[1 extension]

**35 PROCEEDING ENTRIES**

- 28-Jan-2022 FILED: Record on Appeal/Application for Appeal to the Court of Appeals
- 11-Feb-2022 FILED: Assigning UB Appeal to Dept C, Judges Cruz, Thumma, Brown for review of application [Amy M. Wood, Clerk]
- 25-Mar-2022 ORDERED: Directing the clerk of the ADES Appeals Board to transmit a copy of the entire record in U-1717124-001-B within 20 days from the date of this order. Hon Maria Elena Cruz - Author
- 1-Apr-2022 FILED: Additional Record - Compact Disc containing the following items: 3 ASA - Audio/Video MP4 Files and Notice of Affidavit to Parties (contained in manila envelope)
- 21-Jun-2022 ORDERED: granting the application for appeal. FURTHER ORDERED: staying this appeal pending a determination regarding whether this case should be assigned to the Court's Pro Bono Program. FURTHER ORDERED: vacating the assignment of this appeal to Department C. Hon Michael J Brown - Author
- 24-Jun-2022 ORDERED: placing this appeal in the Court's pro bono program. FURTHER ORDERED: any objection to the appointment of pro bono counsel for appellant must be filed in writing by 7/5/22. FURTHER ORDERED: pro bono counsel must file a notice of appearance by 8/4/22. FURTHER ORDERED: staying this appeal pending further order of the court. Hon Kent E Cattani - Author
- 30-Jun-2022 FILED: ADES'S NOTICE OF CHANGE OF COUNSEL; ADES'S CERTIFICATE OF SERVICE FOR NOTICE OF CHANGE OF COUNSEL (Appellee)
- 26-Jul-2022 FILED: Appellant's Untitled Notice of Change of Address

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9.	3-Aug-2022	FILED: NOTICE OF APPEARANCE; CERTIFICATE OF SERVICE (Appellant)
10.	8-Aug-2022	ORDERED: lifting the stay of this appeal. FURTHER ORDERED: appointing Yvonne S. Tindell, Esq. and Chris R. Baniszewski, Esq. of Warner Angle Hallam Jackson & Formanek, PLC, as pro bono counsel to represent appellant for purposes of this appeal only. FURTHER ORDERED: opening brief is due on 9/19/22. Melina Brill ProTem Judge - Author
11.	19-Sep-2022	FILED: OPENING BRIEF OF APPELLANT TIA AGUILAR; Certificate of Compliance; Certificate of Service (Appellant)
12.	24-Oct-2022	FILED: DES's Motion to Extend Time to File Answering Brief (Motion for Procedural Order); ADES's Certificate of Service For Motion to Extend Time (Appellee)
13.	25-Oct-2022	FILED: Appellee Department of Economic Security's Amended Motion to Extend Time to File Answering Brief (Motion for Procedural Order); ADES's Certificate of Service (Appellee)
14.	26-Oct-2022	ORDERED: Appellee Department of Economic Security's Amended Motion to Extend Time to File Answering Brief (Motion for Procedural Order) (Appellee) = GRANTED. Due date EXTENDED from Monday, 10-31-2022 to Monday, 12-12-2022. If brief is not timely filed, court will submit appeal for decision on the record and opening brief. Barbara Vidal Vaught - Author
15.	27-Oct-2022	FILED: Appellant's Motion for Procedural Order to Extend Time to File Reply Brief; Certificate of Service (Appellant)
16.	28-Oct-2022	ORDERED: Appellant's Motion for Procedural Order to Extend Time to File Reply Brief (Appellant) = DENIED without prejudice to consideration of new extension motion after due date for that brief is set. Barbara Vidal Vaught ProTem Judge - Author
17.	12-Dec-2022	FILED: Appellee Department of Economic Security's Answering Brief; Appellee Department of Economic Security's Certificate of Compliance; ADES's Certificate of Service (Appellee)
18.	13-Dec-2022	FILED: Appellant's Motion for Procedural Order to Extend Time to File Reply Brief; Certificate of Service (Appellant)
19.	15-Dec-2022	ORDERED: Appellant's Motion for Procedural Order to Extend Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 01-09-2023 to Tuesday, 01-31-2023. Barbara Vidal Vaught - Author
20.	31-Jan-2023	FILED: Reply Brief of Appellant Tia Aguilar; Certificate of Compliance; Certificate of Service (Appellant)
21.	2-Feb-2023	FILED: Request for Oral Argument; Certificate of Service (Appellant)
22.	3-Mar-2023	ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Kent E Cattani - Author
23.	31-Mar-2023	FILED: Notice of Oral Argument
24.	3-Apr-2023	CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 5-10-23, 09:30 am, COURTROOM 2.
25.	4-Apr-2023	FILED: Return Receipt Re Oral Argument, signed by Yvonne Tindell, on 4/4/23 (Appellant)
26.	11-Apr-2023	FILED: Return Receipt Re Oral Argument, signed by Jennifer Blum, on 3/31/23 (Appellee ADES)
27.	14-Apr-2023	FILED: Supplement to Existing Application and Record to the Court of Appeals
28.	14-Apr-2023	FILED: Supplement to Existing Application and Record to the Court of Appeals
29.	14-Apr-2023	FILED: Physical Disc, Labeled 4-14-23, containing three media files
30.	10-May-2023	FILED: Sign-in Sheet/Case is Under Advisement as of 5/10/23
31.	6-Feb-2024	(The court has determined that supplemental briefs will aid in resolving this appeal) ORDERED: That such briefing address the following (See Order). FURTHER ORDERED: Supplemental opening brief must be filed no later than 3/7/24 and shall not exceed 5000 words. Supplemental answering briefs must be filed no later than 4/8/24 and shall not exceed 5000 words. Supplemental reply brief, if any, must be filed no later than 4/23/24 and is limited to 2500 words. FURTHER ORDERED: Absent extraordinary circumstances, motions for extensions of time will not be entertained. Hon Paul J McMurdie - Author
32.	7-Feb-2024	FILED: Appellant's Motion for Procedural Order to Extend Supplemental Briefing Deadlines; Certificate of Service (Appellant)
33.	8-Feb-2024	ORDERED: Appellant's Motion for Procedural Order to Extend Supplemental Briefing Deadlines (Appellant) = GRANTED. Appellant's supplemental opening brief due no later [sic] 3/21/24 and shall not exceed 5000 words. Supplemental answering briefs due no later than 4/22/24 and shall not exceed 5000 words. Supplemental reply brief, if any, must be filed no later than 5/7/24 and is limited to 2500 words. FURTHER ORDERED: Absent extraordinary circumstances, motions for extension of time will not be entertained. Hon Paul J McMurdie - Author
34.	21-Mar-2024	FILED: Supplemental Opening Brief of Appellant Tia Aguilar; Certificate of Compliance; Certificate of Service (Appellant)

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35. 22-Apr-2024 FILED: Appellee Department of Economic Security's Supplemental Answering Brief; ADES's Certificate of Compliance; ADES's Certificate of Service (Appellee ADES)