

Arizona Supreme Court
Civil Petition for Review - Appeal

CV-23-0228-PR

STATE FARM AUTOMOBILE v JACEY LEE ORLANDO

Appellate Case Information

Case Filed: 1-Sep-2023
 Case Closed:

Dept/Composition

En Banc
 Hon. Robert Brutinel
 Hon. Ann A. Scott Timmer
 Hon. Clint Bolick
 Hon. John R Lopez
 Hon. James P Beene
 Hon. William G Montgomery
 Hon. Kathryn H. King

Side 1. STATE FARM AUTOMOBILE INSURANCE COMPANY, Plaintiff/Appellee

(Litigant Group) STATE FARM AUTOMOBILE INSURANCE COMPANY

- State Farm Automobile Insurance Company

Attorneys for: Plaintiff/Appellee

Lawrence A Kasten, Esq. (AZ Bar No. 20204)
 Todd Feltus, Esq. (AZ Bar No. 19076)
 Kory Koerperich, Esq. (AZ Bar No. 34582)
 David M Bell, Esq. (AZ Bar No. 6818)
 Christopher Robbins, Esq. (AZ Bar No. 11064)

Side 2. JACEY LEE ORLANDO, Defendant/Appellant

(Litigant Group) JACEY LEE ORLANDO

- Jacey Lee Orlando

Attorneys for: Defendant/Appellant

Mick Levin, Esq. (AZ Bar No. 21891)

Side 3. AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION, Amicus Curiae

(Litigant Group) AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION

- American Property Casualty Insurance Association

Attorneys for: Amicus Curiae

Bennett Evan Cooper, Esq. (AZ Bar No. 10819)
 Timothy M Strong, Esq. (AZ Bar No. 21345)
 Alexandra Crandall, Esq. (AZ Bar No. 34838)

Side 4. ARIZONA ASSOCIATION FOR JUSTICE/ARIZONA TRIAL LAWYERS ASSOCIATION, Amicus Curiae

(Litigant Group) ARIZONA ASSOCIATION FOR JUSTICE/ARIZONA TRIAL LAWYERS ASSOCIATION

- Arizona Association for Justice
- Arizona Trial Lawyers Association

Attorneys for: Amicus Curiae

David L Abney, Esq. (AZ Bar No. 9001)

CASE STATUS

May 7, 2024.....At Issue

May 7, 2024.....Oral Argument Granted

Sep 1, 2023.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-CV 22-0447					
↔ MAR CV2020-006088	Declaratory Judgment		Katherine Cooper, Authoring Judge of Order Comments: (none)		

26 PROCEEDING ENTRIES

- 1-Sep-2023 FILED: Notice of Association of Counsel and Unopposed Motion for Extension of Time to File Petition for Review; Certificate of Service (Appellee State Farm Automobile)
- 5-Sep-2023 Appellee State Farm Automobile filed a "Notice of Association of Counsel and Unopposed Motion for Extension of Time to File Petition for Review" on September 1, 2023. Pursuant to Arizona Rules Civil Appellate Procedure, Rule 6(b), the caption of a motion for procedural order must include the words, "Motion for Procedural Order." Therefore,

IT IS ORDERED the motion is denied without prejudice to Appellee's ability to file a motion in compliance with ARCAP 6(b). This matter is subject to dismissal if a compliant motion or petition for review is not filed by September 14, 2023. (Tracie K. Lindeman, Clerk)
- 6-Sep-2023 FILED: Motion for Procedural Order Regarding Unopposed Extension of Time to File Petition for Review; Certificate of Service (Appellee State Farm Automobile)

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4. 7-Sep-2023 A "Motion for Procedural Order Regarding Unopposed Extension of Time to File Petition for Review" (Appellee State Farm) having been filed on September 6, 2023,

IT IS ORDERED granting a first extension of time to file the petition for review on or before October 16, 2023. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by October 16, 2023. (Tracie K. Lindeman, Clerk)
5. 16-Oct-2023 FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Opinion (Appellee State Farm Automobile)
6. 17-Oct-2023 FILED: Record From CofA: Electronic Record
7. 24-Oct-2023 RECEIPT No.: 2023-00675 ; \$280.00, Authorization: 8122428764923222, Applied to: STATE FARM AUTOMOBILE INSURANCE COMPANY - Class A Filing Fee (\$280.00) Paid for: STATE FARM AUTOMOBILE INSURANCE COMPANY - By nCourt LLC
8. 6-Dec-2023 FILED: Amicus Brief of American Casualty Property Insurance Association; Certificate of Service; Certificate of Compliance (Amicus APCIA)
9. 6-Dec-2023 FILED: Consent of all Parties (Amicus APCIA)
10. 18-Jan-2024 The Clerk of the Supreme Court having been authorized by the Supreme Court to order any party to file a response to a petition for review at the direction of a Supreme Court staff attorney,

IT IS ORDERED that Appellant Orlando shall file a response to the petition for review on or before February 20, 2024.

IT IS FURTHER ORDERED that a filing fee of \$140.00 shall accompany the response pursuant to A.R.S. § 12-119.01. (Tracie K. Lindeman)
11. 20-Feb-2024 FILED: Orlando's Response to State Farm's Petition for Review; Certificate of Service; Certificate of Compliance (Appellant Orlando)
12. 27-Feb-2024 RECEIPT No.: 2024-00049 ; \$140.00, Authorization: 8299251474993203, Applied to: JACEY LEE ORLANDO - Class B Filing Fee (\$140.00) Paid for: JACEY LEE ORLANDO - By nCourt LLC
13. 22-Apr-2024 SENT: Letter to Counsel (Hon. Clint Bolick)
14. 25-Apr-2024 FILED: Letter from Attorney Lawrence A. Kasten re: Letter from Justice Bolick
15. 7-May-2024 ORDERED: Petition for Review = GRANTED.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than May 28, 2024. Any amicus briefs are due on or before June 11, 2024 and any responses to amicus briefs are due on or before July 1, 2024. Any amicus briefs or responses may not exceed 20 pages in length.
16. 14-May-2024 FILED: Record From CofA: Entire Electronic Record
17. 15-May-2024 NOTICE OF ORAL ARGUMENT: Set for Tuesday, September 17, 2024 at 9:30 A.M. (twenty [20] minutes per side).
18. 16-May-2024 FILED: Joint Motion for Extension of Time to File Simultaneous Supplemental Briefs (Motion for Procedural Order); Certificate of Service (Appellee State Farm Automobile/Appellant Orlando)
19. 22-May-2024 The parties having filed a "Joint Motion for Extension of Time to File Simultaneous Supplemental Briefs (Motion for Procedural Order)" on May 16, 2024,

IT IS ORDERED granting the motion. Parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than June 14, 2024. Any amicus briefs are due on or before June 28, 2024, and any responses to amicus briefs are due on or before July 18, 2024. Any amicus briefs or responses may not exceed 20 pages in length. (Hon. Robert Brutinel)
20. 11-Jun-2024 FILED: Amicus Curiae Brief of Arizona Association for Justice/ Arizona Trial Lawyers Association; Certificate of Service; Certificate of Compliance (Amici Arizona Association for Justice, et al.)

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26 PROCEEDING ENTRIES

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| 21. | 11-Jun-2024 | FILED: Motion of Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to File Amicus Brief; Certificate of Service (Amici Arizona Association for Justice, et al.) |
| 22. | 11-Jun-2024 | FILED: (Duplicate) Motion of Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to File Amicus Brief (Amici Arizona Association for Justice, et al.) |
| 23. | 17-Jun-2024 | A "Motion of Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to File Amicus Brief" was filed on June 11, 2024, along with the brief of amicus curiae. After consideration,

IT IS ORDERED the "Motion of Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to File Amicus Brief" is granted. The brief shall be filed as of June 11, 2024. (Hon. Robert Brutinel) |
| 24. | 14-Jun-2024 | FILED: State Farm Mutual Automobile Insurance Company's Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellee State Farm Automobile) |
| 25. | 14-Jun-2024 | FILED: Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellant Orlando) |
| 26. | 9-Jul-2024 | FILED: Notice of Acknowledgment of Oral Argument (Lawrence A. Kasten will argue) (Appellee State Farm Automobile) |