

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0114

HAMMER v. PHOENIX

Appellate Case Information

Case Filed: 7-Mar-2023

Case Closed:

Dept/Composition

Department C

Hon. D Steven Williams
Hon. Samuel A Thumma
Hon. Paul J McMurdie

Side 1. HAMMER HOMES, LLC, Plaintiff/Appellant

(Litigant Group) HAMMER HOMES, LLC

- Hammer Homes LLC

Attorneys for: Plaintiff/Appellant

Paul A Conant, Esq. (AZ Bar No. 12667)

Side 2. CITY OF PHOENIX, Defendant/Appellee

(Litigant Group) CITY OF PHOENIX

- City of Phoenix

Attorneys for: Defendant/Appellee

Daniel J Inglese, Esq. (AZ Bar No. 33887)

CASE STATUS

Sep 10, 2024....Pending Closure

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2021-019100, Negligent Misrepresentation, John R Hannah, Authoring Judge of Order.

DESCENDENT CASE(S)

ASC CV-24-0015-PR

OPEN DUE DATE

Stay Request (re: Writ of Certiorari) due

Due By: Wednesday, September 25, 2024

Re: Minute Letter of ASC: Petition for Review DENIED

CASE DECISION

21-Dec-2023 OPINION

Paul McMurdie.....Author
D Williams.....Concur
Samuel Thumma.....Concur

Filed: 21-Dec-2023 Mandate:

Table with 1 column: Decision Disposition. Row 1: Vacated Remanded

21 PROCEEDING ENTRIES

- 1. 7-Mar-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 02/16/23
2. 7-Mar-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 7-Mar-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 7-Mar-2023 FILED: Hammer Homes, LLC Notice of Payment Re: Appellant Fee; Hammer Homes, LLC Notice of Payment Re: Appellant Fee (Certificate of Service) (Appellant)
5. 13-Mar-2023 RECEIPT No.: 2023-00261 ; \$280.00, Authorization: #72007131990, Applied to: HAMMER HOMES, LLC - Class A Filing Fee (\$280.00) Paid for: Conant Law Firm PLC - By nCourt LLC
6. 13-Mar-2023 FILED: Hammer Homes, LLC Notice of Filing Maricopa County Superior Court Index of Record; Hammer Homes, LLC Notice of Filing Maricopa County Superior Court Index of Record (Certificate of Service) (Appellant)
7. 15-Mar-2023 FILED: Appellate Clerk Notice re: No Appellee's Fee due; Appellant's Brief/Case Management Statement Due
8. 27-Mar-2023 FILED: Case Management Statement (Appellant)

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21 PROCEEDING ENTRIES

9. 5-May-2023 FILED: Hammer Homes, LLC Notice of Filing Motion for Procedural Order Extending Opening Brief Deadline by 30 Days for Good Cause (With Appellee's Consent); (Certificate of Service) Hammer Homes, LLC Notice of Filing Motion for Procedural Order Extending Opening Brief Deadline by 30 Days for Good Cause (With Appellee's Consent) (Appellant)
10. 5-May-2023 ORDERED: Hammer Homes, LLC Notice of Filing Motion for Procedural Order Extending Opening Brief Deadline by 30 Days for Good Cause (With Appellee's Consent) (Appellant) = GRANTED and extending the time to file the opening brief from 05/08/2023 to 06/07/2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
11. 7-Jun-2023 FILED: Plaintiff/Appellant's Opening Brief; Certificate of Compliance for Appellant Hammer Homes, LLC's Opening Brief; Plaintiff/Appellant's Certificate of Service for its Opening Brief (Appellant)
12. 17-Jul-2023 FILED: Appellee City of Phoenix's Answering Brief; Certificate of Compliance to Appellee's Answering Brief; Certificate of Service for Appellee's Answering Brief (Appellee)
13. 29-Aug-2023 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
14. 8-Sep-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
15. 26-Sep-2023 CLNDR: CONFERENCE, Department C, 11-15-23, COURTROOM 1.
16. 5-Oct-2023 FILED: Plaintiff/Appellant's Notice Re Reply; Plaintiff/Appellant's Certificate of Service for Notice Re Reply (Appellant)
17. 21-Dec-2023 OPINION (Vacated, Remanded) Hon Paul J McMurdie - Author; Hon D Steven Williams - Concur; Hon Samuel A Thumma - Concur
18. 21-Dec-2023 FILED: Opinion Distribution List
19. 24-Jan-2024 FILED: Email Notice from ASC re: Petition for Review filed 01/22/2024; request for partial record
20. 24-Jan-2024 FILED: Letter forwarding partial record to Arizona Supreme Court
21. 10-Sep-2024 FILED: Letter from ASC, 09/10/2024, re: Petition for Review DENIED on 09/10/2024. ORDERED: Motion to Depublish Court of Appeals Opinion Denied.