

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0186

MAYER DOMESTIC v. O'BRESLY, et al.

Appellate Case Information

Case Filed: 31-Mar-2023

Case Closed:

Dept/Composition

Side 1. MAYER DOMESTIC WATER IMPROVEMENT DISTRICT, Plaintiff/Appellant/Cross-Appellee

(Litigant Group) MAYER DOMESTIC WATER IMPROVEMENT DISTRICT

- Mayer Domestic Water Improvement District

Attorneys for: Plaintiff/Appellant/Cross-Appellee

Mark A McGinnis, Esq. (AZ Bar No. 13958)

Michael Kenyon Foy, Esq. (AZ Bar No. 32736)

Katrina L Wilkinson, Esq. (AZ Bar No. 37195)

Side 2. STEPHEN O'BRESLY and CAROL O'BRESLY, as trustees of the O'BRESLY LIVING TRUST dated JANUARY 14, 2004,

Defendant/Appellee/Cross-Appellant

(Litigant Group) STEPHEN O'BRESLY et al.

- Stephen O'Bresly
Carol O'Bresly
O'Bresly Living Trust

Attorneys for: Defendant/Appellee/Cross-Appellant

Sean T Hood, Esq. (AZ Bar No. 22789)

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Charles E Markle, Esq. (AZ Bar No. 32930)

Brett Gilmore, Esq. (AZ Bar No. 34598)

CASE STATUS

May 5, 2023.....Stayed

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, P1300CV202000767, Quiet Title, Michael P McGill, Authoring Judge of Order.

OPEN DUE DATE

Court Ordered Document due

Due By: Tuesday, September 3, 2024

Re: * ORDERED: Joint Status Report (Appellee/Cross-Appellant) = GRANTED and continuing the stay of this appeal. FURTHER ORDERED: Directing parties to file a status report by 09/03/2024, that describes the status of the settlement, if a motion to dismiss the a

34 PROCEEDING ENTRIES

- 1. 31-Mar-2023 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 03/14/23
2. 31-Mar-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 31-Mar-2023 FILED: Appellate Clerk Notice re: Appellant's Fee[sic]/Case Management Statement/Brief Due
4. 31-Mar-2023 FILED: Amended Appellate Clerk Notice re: No Appellant's Fee Due/Appellee's Fee Due/Case Management Statement/Brief Due
5. 3-Apr-2023 FILED: Motion for Procedural Order Permitting Withdrawal as Appellate Co-Counsel of Record; Certificate of Service (Appellant)
6. 5-Apr-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Notice of Cross-Appeal filed 3/31/23)
7. 7-Apr-2023 ORDERED: Amending the caption in this appeal by adding the designations of "cross-appellants" and "cross-appellee." The caption shown on this order shall be used on all future documents filed in this appeal. FURTHER ORDERED: Appellees/cross-appellants' \$280.00 filing fee, payable to the clerk of the court, is due by 04/14/2023. FURTHER ORDERED: Case management statement remains due on 04/20/2023, the cross-appeal case management statement is due on 05/01/2023, and the opening brief is due on 05/30/2023. Melina Brill ProTem Judge - Author
8. 11-Apr-2023 FILED: Appellees/Cross-Appellants' Notice of Payment of Filing Fee; Certificate of Service to Notice of Payment of Filing Fee (Appellee/Cross-Appellant)
9. 12-Apr-2023 FILED: Appellees/Cross-Appellants' Notice of Additional Payment of Filing Fee; Certificate of Service to Notice of Additional Payment of Filing Fee (Appellee/Cross-Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0186****MAYER DOMESTIC v. O'BRESLY, et al.****34 PROCEEDING ENTRIES**

10. 17-Apr-2023 RECEIPT No.: 2023-00362 ; \$140.00, Authorization: #07012350461, Applied to: STEPHEN O'BRESLY and CAROL O'BRESLY, as trustees o - Class A Filing Fee (\$140.00) Paid for: Fennemore Craig PC - By nCourt LLC (Memo: Partial payment)
11. 18-Apr-2023 RECEIPT No.: 2023-00367 ; \$140.00, Authorization: #08015792098, Applied to: STEPHEN O'BRESLY and CAROL O'BRESLY, as trustees o - Class A Filing Fee (\$140.00) Paid for: Fennemore Craig PC - By nCourt LLC
12. 20-Apr-2023 FILED: Case Management Statement (Appellant/Cross-Appellee)
13. 26-Apr-2023 ORDERED: Motion for Procedural Order Permitting Withdrawal as Appellate Co-Counsel of Record (Appellant) = GRANTED. Melina Brill ProTem Judge - Author
14. 1-May-2023 FILED: Case Management Statement (Appellee/Cross-Appellant)
15. 4-May-2023 FILED: Joint Motion to Extend Briefing Deadlines to Facilitate Settlement; Certificate of Service to Joint Motion to Extend Briefing Deadlines to Facillitate Settlement (Appellee/Cross-Appellant)
16. 5-May-2023 ORDERED: Joint Motion to Extend Briefing Deadlines to Facilitate Settlement (Appellee/Cross-Appellant) = GRANTED in part, staying this appeal, and vacating the 05/30/2023 due date for the opening brief. Upon receipt of a stipulation or notice of consent to dismiss, the court will dismiss this appeal. FURTHER ORDERED: Directing the parties to file a status report by 07/10/2023, if a motion to dismiss the appeal is not filed before that date. Melina Brill ProTem Judge - Author
17. 10-Jul-2023 FILED: Joint Status Report; Certificate of Service to Joint Status Report (Appellee/Cross-Appellant)
18. 11-Jul-2023 ORDERED: Continuing the stay of this appeal until 09/08/2023, for the purposes set forth in this court's 05/05/2023 stay order. Upon receipt of a stipulation or notice of consent to dismiss, the court will dismiss this appeal. FURTHER ORDERED: Directing the parties to file a status report by 09/08/2023, if a motion to dismiss the appeal is not filed before that date. Barbara Vidal Vaught ProTem Judge - Author
19. 8-Sep-2023 FILED: Joint Status Report; Certificate of Service (Appellant/Cross-Appellee)
20. 11-Sep-2023 ORDERED: Joint Status Report (Appellant/Cross-Appellee) = Continuing the stay of this appeal. FURTHER ORDERED: Directing the parties to file a status report by 10/27/2023, that describes the status of the settlement, if a motion to dismiss the appeal is not filed before that date. Melina Brill ProTem Judge - Author
21. 27-Oct-2023 FILED: Joint Status Report; Certificate of Service (Appellant/Cross-Appellee)
22. 31-Oct-2023 ORDERED: Joint Status Report (Appellant/Cross-Appellee) = Continuing the stay of this appeal. FURTHER ORDERED: Directing the parties to file a status report by 12/15/2023, that describes the status of the settlement, if a motion to dismiss the appeal is not filed before that date. Melina Brill ProTem Judge - Author
23. 15-Dec-2023 FILED: Joint Status Report; Certificate of Service (Appellant/Cross-Appellee)
24. 15-Dec-2023 ORDERED: Joint Status Report (Appellant/Cross-Appellee) = Continuing the stay of this appeal. FURTHER ORDERED: Directing the parties to file a status report by 02/09/2024, that describes the status of the settlement, if a motion to dismiss the appeal is not filed before that date. Melina Brill ProTem Judge - Author
25. 9-Feb-2024 FILED: Joint Status Report; Certificate of Service (Appellant/Cross-Appellee)
26. 13-Feb-2024 ORDERED: Joint Status Report (Appellant/Cross-Appellee) = Continuing the stay of this appeal. FURTHER ORDERED: Directing the parties to file a status report by 03/22/2024, that describes the status of the settlement, if a motion to dismiss the appeal is not filed before that date. Melina Brill ProTem Judge - Author
27. 22-Mar-2024 FILED: Joint Status Report; Certificate of Service to Joint Status Report (Appellee/Cross-Appellant)
28. 25-Mar-2024 ORDERED: Joint Status Report (Appellee/Cross-Appellant) = Continuing the stay of this appeal. FURTHER ORDERED: Directing the parties to file a status report by 05/03/2024, that describes the status of the settlement, if a motion to dismiss the appeal is not filed before that date. Melina Brill ProTem Judge - Author
29. 3-May-2024 FILED: Joint Status Report (Motion to Continue Stay); Certificate of Service to Joint Status Report (Appellee/Cross-Appellant)
30. 6-May-2024 ORDERED: Joint Status Report (Motion to Continue Stay) (Appellee/Cross-Appellant) = Continuing the stay of this appeal. FURTHER ORDERED: Directing the parties to file a status report by 07/03/2024, that describes the status of the settlement, if a motion to dismiss the appeal is not filed before that date. Melina Brill ProTem Judge - Author
31. 3-Jul-2024 FILED: Joint Status Report (Motion to Continue Stay); Certificate of Service to Joint Status Report (Appellee/Cross-Appellant)
32. 3-Jul-2024 ORDERED: Joint Status Report (Motion to Continue Stay)(Appellee/Cross-Appellant) = GRANTED and continuing stay of this appeal. FURTHER ORDERED: Directing parties to file status report by 08/02/24, that describes status of settlement, if motion to dismiss appeal not filed before that date. Steven C Lawrence ProTem Judge - Author
33. 2-Aug-2024 FILED: Joint Status Report; Certificate of Service to Joint Status Report (Appellee/Cross-Appellant)

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0186

MAYER DOMESTIC v. O'BRESLY, et al.

34 PROCEEDING ENTRIES

34. 2-Aug-2024 ORDERED: Joint Status Report (Appellee/Cross-Appellant) = GRANTED and continuing the stay of this appeal. FURTHER ORDERED: Directing parties to file a status report by 09/03/2024, that describes the status of the settlement, if a motion to dismiss the appeal is not filed before that date. Melina Brill ProTem Judge - Author