

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0400

CHATHA, et al. v. MARWAH, et al.

Appellate Case Information

Case Filed: 3-Jul-2023

Case Closed:

Dept/Composition

Department F

Hon. Daniel J Kiley
Hon. Kent E Cattani
Hon. D Steven Williams

Side 1. MANINDER CHATHA, et al., Plaintiff/Appellant/Cross-Appellee

(Litigant Group) MANINDER CHATHA, et al.

- Maninder Chatha
Mandeep Sahani
AZ Renal Investments LLC
Desert Kidney Associates PLC

Attorneys for: Plaintiffs/Appellants/Cross-Appellees

Timothy J Berg, Esq. (AZ Bar No. 4170)
Joseph A Schenk, Esq. (AZ Bar No. 9260)
Heather A Macre, Esq. (AZ Bar No. 26625)

Side 2. DARMINDER MARWAH, et al., Defendant/Appellee/Cross-Appellant

(Litigant Group) DARMINDER MARWAH, et al.

- Darminder Marwah
Gurjot Marwah
Hervinder Consulting LLC
Marwah Capital Holdings LLC
Healing Minds PLC

Attorneys for: Defendants/Appellees/Cross-Appellants

Robert G Schaffer, Esq. (AZ Bar No. 17475)
Nelson A F Mixon, Esq. (AZ Bar No. 28882)

CASE STATUS

Aug 30, 2024...Motion for Reconsideration Pending

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2018-005519, Intentional Tort, Dewain D Fox, Authoring Judge of Order.

OPEN DUE DATE

Motion for Reconsideration Response Due

Due By: Thursday, October 10, 2024

Re: \* ORDERED: Appellants may file a response to the motion for reconsideration as to Issue 1 only ("The Negligence and Fiduciary Duty Claims Remain Time Barred Under the Court's Accrual Analysis.") by 10/10/2024. ARCAP 22(d). FURTHER ORDERED: Denying the mot

PENDING MATTER

General Motion

Filed: 30-Aug-2024

Motion for Reconsideration (Appellees/Cross-Appellants)

CASE DECISION

15-Aug-2024 MEMORANDUM DECISION

Kent Cattani.....Author
Daniel Kiley.....Concur
D Williams.....Concur

Filed: 15-Aug-2024 Mandate:

Decision Disposition

Reversed
Remanded

41 PROCEEDING ENTRIES

- 1. 3-Jul-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/05/23
2. 3-Jul-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None

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3. 3-Jul-2023 FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 08/30/2022 - List # 1 2 3 4 6 7 8 9 10 11 15 18 20 21 22 in Manila Envelope
4. 3-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
5. 7-Jul-2023 FILED: Appellants' Case Management Statement (Appellant/Cross-Appellee)
6. 11-Jul-2023 FILED: Reporter's Transcripts-Jury Trial-08/30/2022 (Jessica Wasdyke)
7. 11-Jul-2023 FILED: Reporter's Transcripts-Jury Trial-08/31/2022 (Jessica Wasdyke)
8. 11-Jul-2023 FILED: Reporter's Transcripts-Jury Trial-09/01/2022 (Jessica Wasdyke)
9. 11-Jul-2023 FILED: Reporter's Transcripts-Jury Trial-09/02/2022 (Jessica Wasdyke)
10. 13-Jul-2023 RECEIPT No.: 2023-00626 ; \$280.00, Authorization: 94011477506, Applied to: MANINDER CHATHA, et al. - Class A Filing Fee (\$280.00) Paid for: Fennemore Craig PC - By nCourt LLC
11. 17-Jul-2023 FILED: Appellate Clerk Notice Re: Appellee-Cross Appellant's Fee and Case Management Statement Due/Appellant-Cross Appellee's Brief Due
12. 24-Jul-2023 FILED: Notice of Payment of Filing Fee; Certificate of Service of Notice of Payment of Filing Fee (Appellee/Cross-Appellant)
13. 28-Jul-2023 RECEIPT No.: 2023-00696 ; \$280.00, Authorization: #09002849525, Applied to: DARMINDER MARWAH, et al. - Class A Filing Fee (\$280.00) Paid for: Holden Willits PLC - By nCourt LLC
14. 16-Aug-2023 FILED: Appellees/Cross-Appellants' Case Management Statement (Appellee/Cross-Appellant)
15. 30-Aug-2023 FILED: Appellant's Opening Brief; Certificate of Compliance for Appellant's Opening Brief; Certificate of Service to Appellant's Opening Brief; Appellant's Opening Brief Party Contact Information (Appellants/Cross-Appellees)
16. 30-Aug-2023 FILED: Appendix to Appellant's Opening Brief; Certificate of Service to Appendix to Appellant's Opening Brief (Appellants/Cross-Appellees)
17. 22-Sep-2023 FILED: Motion for Procedural Order re Extension of Time to File Opening Brief; Certificate of Service of Motion for Procedural Order re Extension of Time to File Opening Brief (Appellees/Cross-Appellants)
18. 26-Sep-2023 ORDERED: Motion for Procedural Order re Extension of Time to File Opening Brief (Appellee/Cross-Appellant) = DENIED. Melina Brill ProTem Judge - Author
19. 27-Sep-2023 FILED: Motion for Procedural Order re Extension of Time to File Answering/Cross-Appeal Opening Brief (Second Request); Certificate of Service of Motion for Procedural Order Re Extension of Time to File Answering/Cross-Appeal Opening Brief (Appellees/Cross-Appellants)
20. 28-Sep-2023 ORDERED: Motion for Procedural Order re Extension of Time to File Answering/Cross-Appeal Opening Brief (Second Request) (Appellees/Cross-Appellants) = GRANTED. Due date EXTENDED from Tuesday, 10-10-2023 to Friday, 10-27-2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
21. 27-Oct-2023 FILED: Appellees' Answering Brief/Cross-Appeal Opening Brief; Certificate of Compliance; Certificate of Service of Appellees' Answering Brief/Cross-Appeal Opening Brief (Appellee/Cross-Appellant)
22. 27-Oct-2023 FILED: Appendix to Appellees' Answering Brief/Cross-Appeal Opening Brief (Appellee/Cross-Appellant)
23. 21-Nov-2023 FILED: Motion for Procedural Order Re: Extension of Time to File Appellants' Reply Brief and Cross-Appeal Response Brief; Certificate of Service to Motion for Procedural Order Re: Extension of Time to File Appellants' Reply Brief and Cross-Appeal Response Brief; Exhibit 1 (Order Extending Time to File Appellants' Reply Brief and Cross Appeal Response Brief) (Appellants/Cross-Appellees)
24. 22-Nov-2023 ORDERED: Motion for Procedural Order Re: Extension of Time to File Appellants' Reply Brief and Cross-Appeal Response Brief (Appellants/Cross-Appellees) = GRANTED. Due date EXTENDED from Wednesday, 12-06-2023 to Friday, 12-22-2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
25. 15-Dec-2023 FILED: Appellants' Request for Oral Argument; Certificate of Service to Appellants' Request for Oral Argument (Appellants/Cross-Appellees)
26. 15-Dec-2023 FILED: Appellants' Reply Brief and Cross-Appeal Response Brief; Certificate of Compliance to Appellants' Reply Brief and Cross-Appeal Response Brief; Certificate of Service to Appellants' Reply Brief and Cross-Appeal Response Brief (Appellant/Cross-Appellee)

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 23-0400**

**CHATHA, et al. v. MARWAH, et al.**

**41 PROCEEDING ENTRIES**

27. 21-Dec-2023 FILED: Motion for Procedural Order re Extension of Time to File Reply to Cross-Appeal Brief; Certificate of Service of Motion for Procedural Order re Extension of Time to File Reply to Cross-Appeal Brief (Appellees/Cross-Appellants)
28. 22-Dec-2023 ORDERED: Motion for Procedural Order re Extension of Time to File Reply to Cross-Appeal Brief (Appellees/Cross-Appellants) = GRANTED. Due date EXTENDED from Thursday, 01-04-2024 to Monday, 01-29-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Barbara Vidal Vaught ProTem Judge - Author
29. 29-Jan-2024 FILED: Appellee's Cross-Appeal Reply Brief; Certificate of Compliance; Certificate of Service of Appellees' Cross-Appeal Reply Brief (Appellee/Cross-Appellant)
30. 14-Feb-2024 ORDERED: Appellants' Request for Oral Argument (Appellants/Cross-Appellees) = GRANTED. Hon David B Gass - Author
31. 28-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
32. 13-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
33. 26-Mar-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department F, 5-23-24, 09:30 am, COURTROOM 1.
34. 27-Mar-2024 FILED: Notice of Oral Argument
35. 27-Mar-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Robert Schaffer on 03/27/2024 (Appellee/Cross-Appellant)
36. 27-Mar-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Timothy Berg on 03/27/2024 (Appellant/Cross-Appellee)
37. 24-May-2024 FILED: Sign-in Sheet/Case is Under Advisement as of 05/23/2024
38. 15-Aug-2024 MEMORANDUM DECISION (Reversed, Remanded) Hon Kent E Cattani - Author; Hon Daniel J Kiley - Concur; Hon D Steven Williams - Concur
39. 15-Aug-2024 FILED: Decision Distribution Notification
40. 30-Aug-2024 FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Service of Appellees' Motion for Reconsideration (Appellees/Cross-Appellants)
41. 10-Sep-2024 ORDERED: Appellants may file a response to the motion for reconsideration as to Issue I only ("The Negligence and Fiduciary Duty Claims Remain Time Barred Under the Court's Accrual Analysis.") by 10/10/2024. ARCAP 22(d). FURTHER ORDERED: Denying the motion for reconsideration in all other respects. Hon Kent E Cattani - Author