

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0412

DATE STREET v. COMMONWEALTH

Appellate Case Information

Case Filed: 6-Jul-2023
Case Closed: 16-Aug-2024

Decision

Dept/Composition

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

Side 1. DATE STREET CAPITAL LLC, Plaintiff/Appellant

(Litigant Group) DATE STREET CAPITAL LLC

- Date Street Capital LLC

Attorneys for: Plaintiff/Appellant

Adam B Decker, Esq. (AZ Bar No. 21461)

Side 2. COMMONWEALTH CASUALTY COMPANY, Defendant/Appellee

(Litigant Group) COMMONWEALTH CASUALTY COMPANY

- Commonwealth Casualty Company

Attorneys for: Defendant/Appellee

Joseph P Rocco, Esq. (AZ Bar No. 9284)
Jason S Carr, Esq. (AZ Bar No. 30751)

CASE STATUS

Aug 16, 2024....Case Closed

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2022-013930	Declaratory Relief		Bradley H Astrowsky, Authoring Judge of Order		
TEMPJ CC2021-1567526RC			Comments: (none)		

CASE DECISION

09-Jul-2024 MEMORANDUM DECISION

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

Filed: **09-Jul-2024** Mandate: **16-Aug-2024**

Decision Disposition

Affirmed

25 PROCEEDING ENTRIES

- 6-Jul-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/07/23
- 6-Jul-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 6-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 10-Jul-2023 RECEIPT No.: 2023-00612 ; \$280.00, Check Number: #2445, Applied to: DATE STREET CAPITAL LLC - Class A Filing Fee (\$280.00) Paid for: - By Date Street Capital
- 17-Jul-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
- 18-Jul-2023 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee)
- 24-Jul-2023 RECEIPT No.: 2023-00670 ; \$140.00, Authorization: #05012119599, Applied to: COMMONWEALTH CASUALTY COMPANY - Class B Filing Fee (\$140.00) Paid for: Insurance Defense Law Group LLC - By nCourt LLC
- 25-Jul-2023 FILED: Case Management Statement (Appellant)
- 2-Aug-2023 FILED: Reporter's Transcript - 03/27/2023 - Oral Argument (Kimberly McCright) (Appellant)
- 30-Aug-2023 FILED: Motion for Procedural Order (Extension for Opening Brief); Motion for Procedural Order (Certificate of Service) (Appellant)
- 31-Aug-2023 ORDERED: Motion for Procedural Order (Extension for Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 09-05-2023 to Tuesday, 09-19-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author

Court of Appeals, Division One

Civil Appeal

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DATE STREET v. COMMONWEALTH

25 PROCEEDING ENTRIES

12. 19-Sep-2023 FILED: Opening Brief of Plaintiff/Appellant Date Street Capital, LLC; Certificate of Compliance; Certificate of Service (Appellant)
13. 30-Oct-2023 FILED: Answering Brief of Defendant/Appellee Commonwealth Casualty Company; Certificate of Compliance; Certificate of Service (Appellee)
14. 16-Nov-2023 FILED: Motion for Procedural Order (Extension for Reply Brief); Certificate of Service (Appellant)
15. 16-Nov-2023 ORDERED: Motion for Procedural Order (Extension for Reply Brief) (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-20-2023 to Friday, 12-08-2023. Melina Brill ProTem Judge - Author
16. 8-Dec-2023 FILED: Reply Brief Of Plaintiff/Appellant Date Street Capital, LLC; Certificate of Compliance; Certificate of Service (Appellant)
17. 29-Dec-2023 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
18. 8-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
19. 26-Jan-2024 CLNDR: CONFERENCE, Department F, 3-21-24, COURTROOM 1.
20. 9-Jul-2024 MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Daniel J Kiley - Concur; Hon D Steven Williams - Concu
21. 9-Jul-2024 FILED: Decision Distribution Notification
22. 23-Jul-2024 FILED: Defendant/Appellee's Verified Statement of Attorneys' Fees and Costs on Appeal; Certificate of Service; Exhibit 1 (Appellee)
23. 6-Aug-2024 FILED: Response to Verified Statement of Attorneys' Fees; Certificate of Service (Appellant)
24. 12-Aug-2024 ORDERED: Defendant/Appellee's Verified Statement of Attorneys' Fee (Appellee) = GRANTED and awarding Defendant/Appellee attorney's fees in the amount of \$4,265.00 and costs in the amount of \$154.81 for a total of \$4,419.81. FURTHER ORDERED: Defendant/Appellee's Verified Statement of Costs on Appeal = GRANTED. Hon Kent E Cattani - Author
25. 16-Aug-2024 FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.