

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0470

MOLDOVAN, et al. v. LONG, et al.

Appellate Case Information

Case Filed: 1-Aug-2023

Case Closed:

Dept/Composition

Department E

Hon. Anni Hill Foster
Hon. Brian Y Furuya
Hon. Randall M Howe

Side 1. DANIEL D. MOLDOVAN, et al., Plaintiff/Appellant

(Litigant Group) DANIEL D. MOLDOVAN, et al.

- Daniel D Moldovan
Elite Holdings LLC

Attorneys for: Plaintiffs/Appellants

Florin V Ivan, Esq. (AZ Bar No. 28184)

Side 2. JO ANN LONG, et al., Defendant/Appellee

(Litigant Group) JO ANN LONG, et al.

- Jo Ann Long
Lois V Knotts

Attorneys for: Defendants/Appellees Long

Mark W Horne, Esq. (AZ Bar No. 29449)
David Degnan, Esq. (AZ Bar No. 27422)
Jennie I Tetreault, Esq. (AZ Bar No. 35566)

(Litigant Group) TURQUOISE 5, LLC

- Turquoise 5 LLC

Attorneys for: Defendant/Appellee Turquoise

Terrance D Dunmire, Esq. (AZ Bar No. 9964)

(Litigant Group) CAPITAL TITLE, et al.

- Capital Title Agency Inc
Lawyers Title of Arizona
Fidelity National Title Insurance Company

Attorneys for: Defendant/Appellee Capital et al.

David M LaSpaluto, Esq. (AZ Bar No. 24641)

(Litigant Group) HAGUE, INC.

- Hague Inc

Attorneys for: Defendant/Appellee Hague

James J Palecek, Esq. (AZ Bar No. 15953)

(Litigant Group) PIONEER TITLE AGENCY, INC.

- Pioneer Title Agency Inc

Attorneys for: Defendant/Appellee Pioneer

Paul L Roberts, Esq. (AZ Bar No. 6262)
Jerry P Carver, Esq. (AZ Bar No. 11820)

CASE STATUS

May 30, 2024...Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2022-001806, Real Property, Susanna C Pineda, Authoring Judge of Order.

OPEN DUE DATE

Petition for Review to ASC due Due By: Monday, July 1, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Brian Y Furuya - Author; Hon Anni Hill Foster - Concur; Hon Randall M Howe - Concur

4 PENDING MATTERS

General Motion Filed: 5-Jun-2024
Statement of Attorney FEES and Out-of-Pocket Expenses (Costs) (Appellee Pioneer)

General Motion Filed: 5-Jun-2024
Statement of Attorney Fees and Out-of-Pocket Expenses (COSTS) (Appellee Pioneer)

General Motion Filed: 3-Jul-2024
Objection to Notice of Settlement and REQUEST FOR STAY (Appellee Pioneer)

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4 PENDING MATTERS

General Motion

Filed: 3-Jul-2024

Response to Appellee's Objection to Notice of Settlement (Appellants)

CASE DECISION

30-May-2024 MEMORANDUM DECISION

Brian Furuya.....Author
Anni Foster.....Concur
Randall Howe.....Concur

Filed: 30-May-2024

Mandate:

Table with 1 row: Decision Disposition Affirmed

29 PROCEEDING ENTRIES

- 1. 1-Aug-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 07/03/23
2. 1-Aug-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 2-Aug-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 16-Aug-2023 FILED: (Untitled) Notice of Payment of Filing Fee; Certificate of Service (Appellant)
5. 21-Aug-2023 RECEIPT No.: 2023-00795 ; \$280.00, Authorization: #33013752624, Applied to: DANIEL D. MOLDOVAN, et al. - Class A Filing Fee (\$280.00) Paid for: Ivan & Associates - By nCourt LLC
6. 22-Aug-2023 FILED: Case Management Statement (Appellant)
7. 28-Aug-2023 FILED: Appellate Clerk Notice re: Appellee's Fee's; Appellant's Brief Due
8. 11-Sep-2023 FILED: Notice of Payment of Appellee Filing Fee; Notice of Payment of Appellee Filing Fee (Certificate of Service) (Appellee Pioneer)
9. 15-Sep-2023 RECEIPT No.: 2023-00886 ; \$140.00, Authorization: # 58008993302, Applied to: PIONEER TITLE AGENCY, INC. - Class B Filing Fee (\$140.00) Paid for: Roberts & Carver PLLC - By nCourt LLC
10. 22-Sep-2023 FILED: Procedural Motion - Expedited Unopposed Request for Extension to File Opening Brief; Certificate of Service (Appellant)
11. 26-Sep-2023 ORDERED: Procedural Motion - Expedited Unopposed Request for Extension to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 10-02-2023 to Wednesday, 11-01-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
12. 1-Nov-2023 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
13. 1-Nov-2023 FILED: Reporter's Transcript - 04/07/2023 - Oral Argument on Motion for Summary Judgment (Kimberly McCright) (Appellant)
14. 11-Dec-2023 FILED: Appellee's Answering Brief; Appellee's Answering Brief - Certificate of Compliance; Appellee's Answering Brief - Certificate of Service (Appellee Pioneer)
15. 22-Dec-2023 FILED: Procedural Motion - Expedited Unopposed Request for Extension of Time to File Reply Brief; Certificate of Service (Appellant)
16. 26-Dec-2023 ORDERED: Procedural Motion - Expedited Unopposed Request for Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 01-02-2024 to Monday, 01-22-2024. If brief not timely filed, court will submit this appeal for decision on record and filed briefs. Barbara Vidal Vaught ProTem Judge - Author
17. 22-Jan-2024 FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
18. 30-Jan-2024 FILED: Memorandum - to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
19. 8-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
20. 26-Feb-2024 CLNDR: CONFERENCE, Department E, 4-25-24, COURTROOM 2.
21. 30-May-2024 MEMORANDUM DECISION (Affirmed) Hon Brian Y Furuya - Author; Hon Anni Hill Foster - Concur; Hon Randall M Howe - Concu
22. 30-May-2024 FILED: Decision Distribution Notification

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29 PROCEEDING ENTRIES

- 23. 5-Jun-2024 FILED: Statement of Attorney Fees and Out-of-Pocket Expenses (Costs); Certificate of Service (Appellee Pioneer)
- 24. 18-Jun-2024 FILED: Procedural Motion- EXPEDITED Request for Extension of Time to File Response to Appellee Pioneer Title Agency, Inc.'s Application for Attorney Fees and Costs; Certificate of Service (Appellant)
- 25. 19-Jun-2024 ORDERED: Procedural Motion- EXPEDITED Request for Extension of Time to File Response to Appellee Pioneer Title Agency, INC.'S Application for Attorney Fees and Costs; Certificate of Service (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 06-19-2024 to Wednesday, 07-03-2024. Hon Brian Y Furuya - Author
- 26. 3-Jul-2024 FILED: Notice of Settlement; Certificate of Service (Appellant)
- 27. 3-Jul-2024 FILED: Objection to Notice of Settlement and Request for Stay; Certificate of Service (Appellee Pioneer)
- 28. 3-Jul-2024 FILED: Response to Appellee's Objection to Notice of Settlement; Certificate of Service (Appellants)
- 29. 5-Jul-2024 ORDERED: extending time and setting the response filing due date (to Application for Fees and Costs) to 8/9/24 or upon further order of this court, whichever occurs sooner. Hon Brian Y Furuya - Author