

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0516

O'SULLIVAN-SCHULTZ, et al. v. KORMAN

Appellate Case Information

Case Filed: 16-Aug-2023

Case Closed:

Dept/Composition

Department F

Hon. Maria Elena Cruz
Hon. Samuel A Thumma
Hon. Andrew M Jacobs

Side 1. ESTATE OF MARY O'SULLIVAN-SCHULTZ, et al., Plaintiff/Appellee

(Litigant Group) ESTATE OF MARY O'SULLIVAN-SCHULTZ, et al.

- ESTATE: Estate of Mary O'Sullivan-Schultz
- Leigh Schultz
- Daniel Schultz

Co-Counsel for: Plaintiffs/Appellees

Craig A Knapp, Esq. (AZ Bar No. 13580)
David S Friedman, Esq. (AZ Bar No. 29943)
David L Abney, Esq. (AZ Bar No. 9001)

Side 2. KORMAN, LLC, Defendant/Appellant

(Litigant Group) KORMAN, LLC

- Korman LLC

Attorneys for: Defendant/Appellant

Karen C Stafford, Esq. (AZ Bar No. 30308)

CASE STATUS

Jul 25, 2024.....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2018-012331	Medical Malpractice		Bradley H Astrowsky, Authoring Judge of Order		

CALENDAR

Thursday MONTHLY COURT CASE CALENDAR

Mixed

19-Sep-2024 Department F; COURTROOM 1

9:30 AM

36 PROCEEDING ENTRIES

1. 16-Aug-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 07/18/23
2. 16-Aug-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 17-Aug-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 17-Aug-2023 FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 09/23/2019 - List # 1 in Manila Envelope
5. 25-Aug-2023 FILED: Defendant/Appellant Korman L.L.C.'s Notice of Payment of Appellant's Filing Fee; Defendant/Appellant Korman L.L.C.'s Certificate of Service Regarding Notice of Payment of Appellant's Filing Fee (Appellant)
6. 25-Aug-2023 FILED: Korman L.L.C.'s Motion for Extension of Time to File Transcripts; Defendant / Appellant Korman L.L.C.'s Certificate of Service Regarding Motion for Extension of Time to File Transcripts (Appellant)
7. 28-Aug-2023 ORDERED: Korman L.L.C.'s Motion for Extension of Time to File Transcripts (Appellant) = GRANTED and extending the time to file the transcripts to 09/15/2023. Melina Brill ProTem Judge - Author
8. 31-Aug-2023 RECEIPT No.: 2023-00834 ; \$280.00, Authorization: # 43005647386, Applied to: KORMAN, LLC - Class A Filing Fee (\$280.00) Paid for: The Cavanagh Law Firm PA - By nCourt, LLC
9. 5-Sep-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
10. 5-Sep-2023 ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 10/05/2023. Signed order re: minute entry of 06/26/2023 filed 06/27/2023 due within 10 days after its entry. If appeal reinstated by filing of signed order, case management statement due 10/16/2023 and opening brief due 11/06/2023. Melina Brill ProTem Judge - Author
11. 15-Sep-2023 FILED: Defendant / Appellant Korman L.L.C.'s Notice Filing and Serving Transcripts (Reporter's Transcript - 09/23/2019 - Oral Argument (Kimberly McCright)) (Reporter's Transcript - 09/27/2022 - Oral Argument (Kimberly McCright)) (Reporter's Transcript - 04/28/2023 - Oral Argument (Kimberly McCright)); Certificate of Service (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0516****O'SULLIVAN-SCHULTZ, et al. v. KORMAN****36 PROCEEDING ENTRIES**

12. 5-Oct-2023 FILED: Defendant/Appellant Korman LLC's Motion to Continue Stay of Appeal; Certificate of Service (Appellant)
13. 6-Oct-2023 ORDERED: Defendant/Appellant Korman LLC's Motion to Continue Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 11/06/2023, for the purposes set forth in this court's 09/05/2023 stay order. FURTHER ORDERED: If this court has received a signed order before 11/06/2023, the case management statement is due on 11/16/2023, and the opening brief is due on 12/06/2023. Melina Brill ProTem Judge - Author
14. 6-Nov-2023 FILED: Defendant / Appellant Korman L.L.C.'s Second Motion to Continue Stay of Appeal; Certificate of Service (Appellant)
15. 7-Nov-2023 ORDERED: Defendant / Appellant Korman L.L.C.'s Second Motion to Continue Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 11/29/2023, for the purposes set forth in this court's 09/05/2023 stay order. FURTHER ORDERED: If this court has received a signed order before 11/29/2023, the case management statement is due on 12/11/2023, and the opening brief is due on 01/05/2024. Melina Brill ProTem Judge - Author
16. 29-Nov-2023 FILED: Defendant / Appellant Korman L.L.C.'s Third Motion to Continue Stay of Appeal; Certificate of Service (Appellant)
17. 30-Nov-2023 ORDERED: Defendant / Appellant Korman L.L.C.'s Third Motion to Continue Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 12/29/2023, for the purposes set forth in this court's 09/05/2023 stay order. FURTHER ORDERED: If this court has received a signed order before 12/29/2023, the case management statement is due on 01/08/2024, and the opening brief is due on 01/29/2024. Melina Brill ProTem Judge - Author
18. 15-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
19. 8-Jan-2024 FILED: Appellant's Case Management Statement (Appellant)
20. 8-Jan-2024 FILED: Certificate of Service for Case Management Statement (Appellant)
21. 23-Jan-2024 FILED: Defendant / Appellant Korman L.L.C.'S Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
22. 24-Jan-2024 ORDERED: Defendant / Appellant Korman L.L.C.'S Unopposed Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 01-29-2024 to Monday, 02-12-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
23. 12-Feb-2024 FILED: Appellants' Opening Brief; Certificate of Compliance for Appellants' Opening Brief; Certificate of Service for Appellant's Opening Brief (Appellant)
24. 25-Mar-2024 FILED: Answering Brief; Certificate of Compliance for Answering Brief; Certificate of Service for Answering Brief (Appellee)
25. 25-Mar-2024 FILED: Motion for Oral Argument; Certificate of Service for Motion for Oral Argument (Appellee)
26. 29-Mar-2024 RECEIPT No.: 2024-00318 ; \$140.00, Authorization: #89011241648, Applied to: ESTATE OF MARY O'SULLIVAN-SCHULTZ, et al. - Class B Filing Fee (\$140.00) Paid for: David L Abney - By nCourt LLC
27. 16-Apr-2024 FILED: Appellant's Reply Brief; Certificate of Compliance for Appellants' Reply Brief; Certificate of Service for Appellant's Reply Brief (Appellant)
28. 1-May-2024 ORDERED: Motion for Oral Argument (Appellee) = GRANTED. Hon David B Gass - Author
29. 9-May-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
30. 17-May-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
31. 25-Jul-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department F, 9-19-24, 09:30 am, COURTROOM 1.
[Vacated per order filed 09/04/2024]
32. 12-Aug-2024 FILED: Notice of Oral Argument
[Vacated per order filed 09/04/2024]
33. 12-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by David L. Abney on 08/12/2024 (Appellee)
34. 13-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Karen C. Stafford on 08/13/2024 (Appellant)
35. 4-Sep-2024 ORDERED: Vacating the conference and the oral argument initially scheduled for Thursday, 09/19/2024, at 9:30 a.m. and rescheduling the conference and the oral argument for Wednesday, 10/09, at 10:30 a.m. before Department F, Courtroom #1. FURTHER ORDERED: Each side shall have twenty minutes to present oral argument. Hon Maria Elena Cruz - Author
36. 4-Sep-2024 FILED: Return Receipt for Notice of Oral Argument, signed by David L. Abney on 09/04/2024 (Appellee)