

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0566

REILLY, et al. v. MAYO CLINIC

Appellate Case Information

Case Filed: 14-Sep-2023

Case Closed:

Dept/Composition

Department A

Hon. Angela K Paton
Hon. Michael S Catlett
Hon. James B Morse

Side 1. MICHAEL JOSEPH REILLY, et al., Plaintiff/Appellant

(Litigant Group) MICHAEL JOSEPH REILLY, et al.

- Michael Joseph Reilly
Melissa Jan Reilly

Attorneys for: Plaintiffs/Appellants

Elliot G Wolfe, Esq. (AZ Bar No. 5521)

Side 2. MAYO CLINIC ARIZONA, Defendant/Appellee

(Litigant Group) MAYO CLINIC ARIZONA

- Mayo Clinic Arizona

Attorneys for: Defendant/Appellee

Robert H Feinberg, Esq. (AZ Bar No. 15059)

Derek Flint, Esq. (AZ Bar No. 34392)

Colin P Ahler, Esq. (AZ Bar No. 23879)

CASE STATUS

Jun 14, 2024....Pending in ASC

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2018-000020, Hospital Malpractice, Randall H Warner, Authoring Judge of Order.

Table with 2 columns: DESCENDENT CASE (S), Cause/Charge/Class. Row 1: ASC, CV-24-0122-PR.

CASE DECISION

16-May-2024 MEMORANDUM DECISION

Michael Catlett.....Author
Angela Paton.....Concur
James Morse.....Concur

Filed: 16-May-2024 Mandate:

Decision Disposition

Affirmed

29 PROCEEDING ENTRIES

- 1. 14-Sep-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 08/17/23
2. 14-Sep-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 14-Sep-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 25-Sep-2023 FILED: Notice of Payment of Appellants' Filing Fee; Certificate of Service (Appellant)
5. 29-Sep-2023 RECEIPT No.: 2023-00924 ; \$280.00, Authorization: #72010473955. Applied to: MICHAEL JOSEPH REILLY, et al. - Class A Filing Fee (\$280.00) Paid for: Palumbo Wolfe & Palumbo PC - By nCourt LLC
6. 4-Oct-2023 FILED: Case Management Statement; Exhibit 1 (Copy of Maricopa County Superior Court Order filed 07/24/2023); Exhibit 2 (Copy of Maricopa County Superior Court ME dated 07/20/2023 re: Motion for New Trial and Sanctions) (Appellant)
7. 4-Oct-2023 FILED: Certificate of Service (Appellant)
8. 6-Oct-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
9. 9-Oct-2023 FILED: Notice of Filing Transcripts; Certificate of Service (Appellee)
10. 9-Oct-2023 FILED: (Reporter's Transcript - 05/01/2023 - Proceedings (Michaela Davis)) (Reporter's Transcript - 05/02/2023 - Proceedings (Michaela Davis)) (Appellee)

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29 PROCEEDING ENTRIES

11. 9-Oct-2023 FILED: Reporter's Transcript - 05/03/2023 - Proceedings (Jennifer Honn) (Appellee)
12. 9-Oct-2023 FILED: Reporter's Transcript - 05/04/2023 - Proceedings (Michaela Davis) (Appellee)
13. 13-Oct-2023 RECEIPT No.: 2023-00962 ; \$140.00, Authorization: # 86012243353, Applied to: MAYO CLINIC ARIZONA - Class B Filing Fee (\$140.00) Paid for: Robert H Feinberg - By nCourt LLC
14. 17-Oct-2023 FILED: Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court; Certificate of Service; Exhibit 1 (To Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court) (Appellant)
15. 18-Oct-2023 ORDERED: Vacating the 11/13/2023 due date for the opening brief. The order ruling on the pending motion will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
16. 20-Oct-2023 FILED: Response in Opposition to Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court; Certificate of Service; Exhibit A (To Response in Opposition to Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court) (Appellee)
17. 27-Oct-2023 FILED: Plaintiffs' Reply to Defendant's Response to Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court; Certificate of Service; Exhibit 1 (To Plaintiffs' Reply to Defendant's Response to Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court) (Appellant)
18. 31-Oct-2023 ORDERED: Motion to Stay Appeal and Reinvest Jurisdiction in Trial Court (Appellant) = DENIED in its present form. FURTHER ORDERED: The opening brief is due on 11/30/2023. Hon Randall M Howe - Author
19. 30-Nov-2023 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
20. 8-Jan-2024 FILED: Appellee's Answering Brief; Certificate of Compliance to Appellee's Answering Brief; Certificate of Service to Appellee's Answering Brief and Appendix (Appellee)
21. 8-Jan-2024 FILED: Appendix to Appellee's Answering Brief (Appellee)
22. 29-Jan-2024 FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
23. 28-Feb-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
24. 7-Mar-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
25. 26-Mar-2024 CLNDR: CONFERENCE, Department A, 4-30-24, CONFERENCE ROOM.
26. 16-May-2024 MEMORANDUM DECISION (Affirmed) Hon Michael S Catlett - Author; Hon Angela K Paton - Concur; Hon James B Morse Jr. - Concur
27. 16-May-2024 FILED: Decision Distribution Notification
28. 14-Jun-2024 FILED: Email Notice from ASC re: Petition for Review filed 06/12/24; request for partial record
29. 14-Jun-2024 FILED: Letter forwarding partial record to Arizona Supreme Court