

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0573

FLAUM v. HOERNIG, et al.

Appellate Case Information

Case Filed: 19-Sep-2023

Case Closed:

Dept/Composition

Department A

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

Side 1. JAMES N. FLAUM, TRUSTEE OF THE JAMES N. FLAUM REVOCABLE TRUST, Plaintiff/Appellant/Cross-Appellee

(Litigant Group) JAMES N FLAUM, TRUSTEE OF THE JAMES N. FLAUM REVOCABLE TRUST

- James N Flaum
James N Flaum Revocable Trust

Attorneys: Plaintiffs/Appellants/Cross-Appellees

Robert A Miller, Esq. (AZ Bar No. 14234)

Side 2. KURT R. HOERNIG and BELINDA G. HOERNIG, husband and wife, Defendant/Appellee/Cross-Appellant

(Litigant Group) KURT R. HOERNIG and BELINDA G. HOERNIG, husband and wife

- Kurt R Hoernig
Belinda G Hoernig

Attorneys: Defendants/Appellees/Cross-Appellants

Michael Warzynski, Esq. (AZ Bar No. 12928)

CASE STATUS

Jul 30, 2024.....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, P1300CV202000154, Declaratory Judgment, John David Napper, Authoring Judge of Order.

2 OPEN DUE DATES

Motion for Reconsideration due Due By: Wednesday, August 14, 2024

Re: MEMORANDUM DECISION (Affirmed in Part, Vacated in Part, Remanded) Hon Michael S Catlett - Author; Hon Angela K Paton - Concur; Hon James B Morse Jr. - Concur

Petition for Review to ASC due Due By: Thursday, August 29, 2024

Re: MEMORANDUM DECISION (Affirmed in Part, Vacated in Part, Remanded) Hon Michael S Catlett - Author; Hon Angela K Paton - Concur; Hon James B Morse Jr. - Concur

CASE DECISION

30-Jul-2024 MEMORANDUM DECISION

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

Filed: 30-Jul-2024 Mandate:

Decision Disposition

Affirmed in Part
Vacated in Part
Remanded

20 PROCEEDING ENTRIES

- 1. 19-Sep-2023 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 08/11/23
2. 19-Sep-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Digital Exhibits: Evdentiary Hearing Date 5/26/23 Plaintiff 14 Defendant 6 Trial Hearing Date 4/5/22 Plaintiff 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 9, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58 Defense 4/6/22 4, 5, 6, 10, 12
3. 19-Sep-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 25-Sep-2023 FILED: Notice of Appellant Paying Filing Fee; Certificate of Service (Appellant/Cross-Appellee)
5. 29-Sep-2023 RECEIPT No.: 2023-00927 ; \$280.00, Authorization: #72010473955, Applied to: JAMES N FLAUM, TRUSTEE OF THE JAMES N. FLAUM REVOC - Class A Filing Fee (\$280.00) Paid for: Robert A Miller PC - By nCourt LLC
6. 10-Oct-2023 FILED: Appellate Clerk Notice Re: Appellee/Cross Appellant's Fee and Case Management Statement Due/Appellant's Brief Due

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 23-0573**

**FLAUM v. HOERNIG, et al.**

**20 PROCEEDING ENTRIES**

7. 10-Oct-2023 FILED: Case Management Statement (Appellant/Cross-Appellee)
8. 25-Oct-2023 FILED: Notice of Paying Filing Fee; Notice of Paying Filing Fee (Certificate of Service) (Appellee/Cross-Appellant)
9. 31-Oct-2023 RECEIPT No.: 2023-01025 ; \$280.00, Authorization: # 04010733152, Applied to: KURT R. HOERNIG and BELINDA G. HOERNIG, husband an - Class A Filing Fee (\$280.00) Paid for: Law Office of Michael Warzynski, P.L.L.C. - By nCourt, LLC
10. 20-Nov-2023 FILED: Plaintiff's/Appellant's/Cross-Appellee's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)
11. 28-Nov-2023 FILED: Case Management Statement (Appellee/Cross-Appellant)
12. 22-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
13. 3-Jan-2024 FILED: Appellees/Cross-Appellees Motion for Extension of Time to File Joint Rspnse[sic] and Cross-Appeal Brief; Certificate of Service (Appellee/Cross-Appellant)
14. 3-Jan-2024 FILED: Defendants'/Appellees'/Cross-Appellants' Joint Response Brief to Plaintiff's/Appellant's/Cross-Appellee's Opening Brief Opening Brief and Cross-Appeal Brief; Certificate of Compliance Re Opening Brief; Certificate of Service (Appellee/Cross-Appellant)
15. 4-Jan-2024 ORDERED: Appellees/Cross-Appellees Motion for Extension of Time to File Joint Rspnse = GRANTED. Accepting brief filed Wednesday, 01-03-2024. Melina Brill ProTem Judge - Author
16. 9-Feb-2024 FILED: Plaintiff's/Appellant's/Cross-Appellee's Joint Reply and Answering Brief to Defendants'/Appellees'/Cross-Appellants' Joint Response Brief to Plaintiff's/Appellant's/Cross-Appellee's Opening Brief and Cross-Appeal Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)
17. 29-Feb-2024 FILED: Defendants'/Appellees'/Cross-Appellants' Rely [sic] Breif [sic] in Support of Cross-Appellant's Cross-Appeal Brief; Certificate of Compliance Re Opening Brief; Certificate of Service (Appellee/Cross-Appellant)
18. 26-Apr-2024 CLNDR: CONFERENCE, Department A, 6-11-24, COURTROOM 1.
19. 30-Jul-2024 MEMORANDUM DECISION (Affirmed in Part, Vacated in Part, Remanded) Hon Michael S Catlett - Author; Hon Angela K Paton - Concur; Hon James B Morse Jr. - Concur
20. 30-Jul-2024 FILED: Decision Distribution Notification