

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0594

SEGURIDAD v. WHEELHOUSE

Appellate Case Information

Case Filed: 27-Sep-2023
Case Closed: 12-Sep-2024

Decision

Dept/Composition

Department B

Hon. Andrew M Jacobs
Hon. Jennifer M Perkins
Hon. David D Weinzweig

Side 1. SEGURIDAD OPORTUNIDAD Y LIDERAZGO, LLC, Plaintiff/Appellant

(Litigant Group) SEGURIDAD OPORTUNIDAD Y LIDERAZGO, LLC

- Seguridad Oportunidad Y Liderazgo LLC

Attorneys for: Plaintiff/Appellant

Philippe Martinet, Esq. (AZ Bar No. 25613)

Side 2. WHEELHOUSE PROPERTIES, INC., Defendant/Appellee

(Litigant Group) WHEELHOUSE PROPERTIES, INC.

- Wheelhouse Properties Inc

Attorneys for: Defendant/Appellee

Richard W Hundley, Esq. (AZ Bar No. 19829)

CASE STATUS

Sep 12, 2024...Case Closed

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2021-017201, Breach of Contract, Randall H Warner, Authoring Judge of Order.

CASE DECISION

06-Aug-2024 MEMORANDUM DECISION

David Weinzweig.....Author
Andrew Jacobs.....Concur
Jennifer Perkins.....Concur

Filed: 06-Aug-2024 Mandate: 12-Sep-2024

Decision Disposition

Affirmed

25 PROCEEDING ENTRIES

- 1. 27-Sep-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 08/29/23
2. 27-Sep-2023 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 28-Sep-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 18-Oct-2023 FILED: Case Management Statement (Appellant)
5. 24-Oct-2023 FILED: Plaintiff's Notice of Appeal (Notice of Payment of Filing Fee); Certificate of Service (Appellant)
6. 27-Oct-2023 RECEIPT No.: 2023-01020 ; \$280.00, Authorization: 00011066464, Applied to: SEGURIDAD OPORTUNIDAD Y LIDERAZGO, LLC - Class A Filing Fee (\$280.00) Paid for: Martinet Law - By nCourt LLC
7. 3-Nov-2023 FILED: First Motion to Extend Time for Appellant's Opening Brief; Certificate of Service (Appellant)
8. 6-Nov-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
9. 7-Nov-2023 ORDERED: First Motion to Extend Time for Appellant's Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-27-2023 to Friday, 01-26-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
10. 19-Jan-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service; Copy of Maricopa County Superior Court ME dated 08/19/2022 re: Under Advisement Ruling (Appellant)
11. 19-Jan-2024 FILED: Copy of Maricopa County Superior Court ME filed 06/22/2023 re: Under Advisement Ruling; Warranty Deed; Copy of Maricopa County Superior Court ME dated 11/24/2020 re: Application for Fees/Costs due on/before 12/08/2020; Purchase and Sale Agreement (Courtesy Copy) (Appellant)

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25 PROCEEDING ENTRIES

12. 19-Jan-2024 FILED: Reporter's Transcript - 11/03/2020 - Bench Trial - Day One (Unsigned); Plaintiff's Third Supplemental Disclosure Statement (Courtesy Copy); (Untitled) Exhibits (Appellant)

[Transcript stricken per order filed 01/22/2024]
13. 19-Jan-2024 FILED: Reporter's Transcript - 06/21/2023 - Trial (Kimberly McCright); Moon Valley Nursery Sales Agreement (Courtesy Copy) (Appellant)
14. 22-Jan-2024 ORDERED: Striking the 11/03/2020 transcript. Melina Brill ProTem Judge - Author
15. 21-Feb-2024 FILED: Defendant's/Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
16. 27-Feb-2024 RECEIPT No.: 2024-00191 ; \$140.00, Authorization: #58007178685, Applied to: WHEELHOUSE PROPERTIES, INC. - Class B Filing Fee (\$140.00) Paid for: William A. Kozub - By nCourt LLC
17. 5-Apr-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
18. 15-Apr-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
19. 26-Apr-2024 CLNDR: CONFERENCE, Department B, 6-11-24, COURTROOM 2.
20. 6-Aug-2024 MEMORANDUM DECISION (Affirmed) Hon David D Weinzwieg - Author; Hon Andrew M Jacobs - Concur; Hon Jennifer M Perkins - Concur
21. 6-Aug-2024 FILED: Decision Distribution Notification
22. 12-Aug-2024 FILED: Defendant's/Appellee's Statement of Attorney's Fees Under A.R.C.A.P. Rule 21; Certificate of Service (Appellee)
23. 12-Aug-2024 FILED: Memorandum of Costs; Certificate of Service (Appellee)
24. 10-Sep-2024 ORDERED: Defendant's/Appellee's Statement of Attorney's Fees Under A.R.C.A.P. Rule 21 (Appellee) = GRANTED awarding attorney fees in the amount of \$5,595.50 and costs in the amount of \$171 to Appellee. FURTHER ORDERED: Memorandum of Costs = GRANTED. Hon David D Weinzwieg - Author
25. 12-Sep-2024 FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.