

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 23-0606**

**SYNC TITLE v. ACC**

**Appellate Case Information**

Case Filed: 29-Sep-2023

Case Closed:

**Dept/Composition**

**Department D**

Hon. Michael S Catlett  
 Hon. Jennifer M Perkins  
 Hon. Randall M Howe

**Side 1. SYNC TITLE AGENCY, LLC, Appellant**

(Litigant Group) SYNC TITLE AGENCY LLC

- Sync Title Agency LLC

**Attorneys for: Appellant**

M Philip Escolar, Esq. (AZ Bar No. 23197)

(Litigant Group) OLSON/JOPLIN [Dismissed per order filed 02/14/2024]

**Side 2. ARIZONA CORPORATION COMMISSION, Appellee**

(Litigant Group) ARIZONA CORPORATION COMMISSION

- Arizona Corporation Commission

**Attorneys for: Defendant/Appellee**

Paul Kitchin, Esq. (AZ Bar No. 31783)

**CASE STATUS**

Jun 25, 2024....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR LC2022-000275-001	Judicial Review of the Arizona Corporation Commission Opinion and Order		Joseph P Mikitish, Authoring Judge of Order		
↪ ACC S21131A-20-0345			Comments: (none)		

**OPEN DUE DATE**

**Response to Amicus Curiae due**

**Due By:**

Friday, September 13, 2024

Re: FILED: Brief Amicus Curiae of Goldwater Institute; Certificate of Compliance; Certificate of Service (Amicus Curiae Goldwater Institute)

**CALENDAR**

**Wednesday** MONTHLY COURT CASE CALENDAR (SACAL)

Mixed

**9-Oct-2024** Department D; COURTROOM 2

10:45 AM

**29 PROCEEDING ENTRIES**

- 29-Sep-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/01/23
- 29-Sep-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 29-Sep-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 16-Oct-2023 FILED: Case Management Statement (Appellant Sync Title)
- 16-Oct-2023 FILED: Returned US Mail, Appellate Clerk Notice filed 9/29/23, addressed to Christopher Olson, Not Deliverable as Addressed/Unable to Forward (Not Resent)
- 20-Oct-2023 RECEIPT No.: 2023-00993 ; \$280.00, Authorization: #93005936624, Applied to: SYNC TITLE AGENCY LLC - Class A Filing Fee (\$280.00) Paid for: M Philip Escolar - By nCourt LLC
- 31-Oct-2023 FILED: Appellate Clerk Notice re: No Appellee's Fee Due; Appellants Briefs/Case Management Statements Due
- 22-Nov-2023 FILED: Motion for Procedural Order Appellant's Motion for Thirty Day Extension to File Joint Opening Brief; Certificate of Service (Appellant Sync)

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9. 24-Nov-2023 ORDERED: Motion for Procedural Order Appellant's Motion for Thirty Day Extension to File Joint Opening Brief (Appellant Sync) = GRANTED. Due date EXTENDED from Tuesday, 11-28-2023 to Thursday, 12-28-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author  
[amended per order filed 11/28/2023]
10. 28-Nov-2023 ORDERED: Amending the second paragraph of the 11/24/2023 order by deleting the year "2028" and replacing it with "2023." Melina Brill ProTem Judge - Author
11. 28-Dec-2023 FILED: Appellants' Opening Brief; (Untitled) Certificate of Compliance; Certificate of Service (Appellant Sync Title)
12. 28-Dec-2023 FILED: Appendices (Appellant Sync Title)
13. 17-Jan-2024 FILED: Appellee Arizona Corporation Commission's Motion for a Procedural Order to Extend Time to File Brief (Answering); Certificate of Service for Appellee Arizona Corporation Commission's Motion for a Procedural Order to Extend Time to File Brief (Appellee)
14. 17-Jan-2024 ORDERED: Appellee Arizona Corporation Commission's Motion for a Procedural Order to Extend Time to File Brief (Answering) (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 02-06-2024 to Monday, 04-08-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
15. 14-Feb-2024 ORDERED: Dismissing Christopher Olson and Rosicella Joplin from this appeal. FURTHER ORDERED: Amending the caption in this appeal. The caption shown on this order shall be used on all future documents filed in this appeal. Melina Brill ProTem Judge - Author
16. 8-Apr-2024 FILED: Answering Brief of Appellee Arizona Corporation Commission; Certificate of Compliance for Appellee Arizona Corporation Commission's Answering Brief; Certificate of Service for Appellee Arizona Corporation Commission's Answering Brief (Appellee)
17. 7-Jun-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
18. 17-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
19. 25-Jun-2024 CLNDR: CONFERENCE, Department D, 8-14-24, CONFERENCE ROOM.
20. 1-Jul-2024 ORDERED: Directing parties to file simultaneous supplemental briefs on/before 07/29/2024, addressing how, if at all, the analysis in S.E.C. v. Jarkey impacts this case. Hon Michael S Catlett - Author
21. 29-Jul-2024 FILED: Supplemental Brief of Appellee Arizona Corporation Commission; Certificate of Compliance for Appellee Arizona Corporation Commission's Supplemental Brief; Certificate of Service for Appellee Arizona Corporation Commission's Supplemental Brief (Appellee)
22. 29-Jul-2024 FILED: Appellant Sync Title Agency LLCs Supplemental Brief; Certificate of Compliance; Certificate of Service (Appellant)
23. 8-Aug-2024 ORDERED: Setting oral argument on 10/09/2024 at 10:45 a.m. before Department D in Courtroom 2. FURTHER ORDERED: In addition to whatever arguments parties wish to advance, counsel should be prepared to address (see order). FURTHER ORDERED: Inviting interested parties or organizations to file amicus briefs setting forth their positions on the issues presented. Any such amicus brief must be filed no later than 08/30/2024, and shall be limited to no more than 12,000 words. The court's invitation for amicus briefing extends, but is not limited, to the Arizona Solicitor General and the Goldwater Institute. FURTHER ORDERED any parties' response to an amicus brief shall be filed no later than 09/13/2024, and shall be limited to no more than 7,000 words. FURTHER ORDERED that motions for extension of time will not be entertained. FURTHER ORDERED vacating the conference currently set in this matter for 08/14/2024 and resetting the conference in this matter for 10/09/2024. Hon Michael S Catlett - Author
24. 9-Aug-2024 AMENDED ORDER: Setting oral argument on 10/09/2024 at 10:45 a.m. before Department D in Courtroom 2. FURTHER ORDERED: In addition to whatever arguments parties wish to advance, counsel should be prepared to address (see order). FURTHER ORDERED: Inviting interested parties or organizations to file amicus briefs setting forth their positions on the issues presented. Any such amicus brief must be filed no later than 08/30/2024, and shall be limited to no more than 12,000 words. The court's invitation for amicus briefing extends, but is not limited, to the Arizona Solicitor General and the Goldwater Institute. FURTHER ORDERED any parties' response to an amicus brief shall be filed no later than 09/13/2024, and shall be limited to no more than 7,000 words. FURTHER ORDERED that motions for extension of time will not be entertained. FURTHER ORDERED vacating the conference currently set in this matter for 08/14/2024 and resetting the conference in this matter for 10/09/2024. Hon Michael S Catlett - Author
25. 16-Aug-2024 FILED: Returned US Mail, Order Re: Oral Argument dated 08/08/2024, addressed to Arizona Solicitor General, Attempted - Not Known (Resent 08/16/2024)
26. 16-Aug-2024 FILED: Returned US Mail, Amended Order Re: Oral Argument dated 08/08/2024, addressed to Arizona Solicitor General, Attempted - Not Known (Resent 08/16/2024)
27. 29-Aug-2024 FILED: Brief Amicus Curiae of Goldwater Institute; Certificate of Compliance; Certificate of Service (Amicus Curiae Goldwater Institute)

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- 28. 30-Aug-2024 FILED: Brief of Amicus Curiae The North American Securities Administrators Association in Support of the Appellee Arizona Corporation Commission; Certificate of Compliance; Certificate of Service (Amicus Curiae Admin Association)
- 29. 30-Aug-2024 FILED: Amicus Curiae Brief of the State of Arizona; Certificate of Compliance; Certificate of Service (Amicus Curiae State of AZ)