

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0661

HENKE, et al. v. HOSPITAL, et al.

Appellate Case Information

Case Filed: 24-Oct-2023

Case Closed:

Dept/Composition

Department C

Hon. Cynthia J Bailey
Hon. Anni Hill Foster
Hon. Angela K Paton

Side 1. MARGARITA HENKE, et al., Plaintiff/Appellant

(Litigant Group) MARGARITA HENKE, et al.

- Margarita Henke
Greg Henke
Leticia Henke
Emma Henke
Carol Henke

Attorneys for: Plaintiffs/Appellants

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

Side 2. HOSPITAL DEVELOPMENT OF WEST PHOENIX, INC, et al., Defendant/Appellee

(Litigant Group) HOSPITAL DEVELOPMENT OF WEST PHOENIX, INC., et al.

- Hospital Development of West Phoenix Inc

Attorneys for: Defendant/Appellee Hospital

Jeffrey McLerran, Esq. (AZ Bar No. 25624)
Charles W Wirken, Esq. (AZ Bar No. 4276)

(Litigant Group) MORIUM CHOWDHURY, et al.

- Morium Chowdhury
Emergency Group of Arizona PC
Quantum Plus Inc

Attorneys for: Defendants/Appellees Chowdhury et

Michael J Ryan, Esq. (AZ Bar No. 17467)
Nathan S Ryan, Esq. (AZ Bar No. 33243)
Carolyn (DeeDee) Armer Holden, Esq. (AZ Bar No. 14315)

CASE STATUS

Jul 25, 2024.....Assigned

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2019-001950, Medical Negligence, Joan M Sinclair, Authoring Judge of Order.

CALENDAR

Wednesday MONTHLY COURT CASE CALENDAR
25-Sep-2024 Department C; COURTROOM 1
10:15 AM

Mixed

33 PROCEEDING ENTRIES

- 1. 24-Oct-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/25/23
2. 24-Oct-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 24-Oct-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 31-Oct-2023 FILED: Notice of Payment of Appellants' Filing Fee; Certificate of Service (Appellant)
5. 6-Nov-2023 RECEIPT No.: 2023-01044 ; \$280.00, Authorization: #10019655069, Applied to: MARGARITA HENKE, et al. - Class A Filing Fee (\$280.00) Paid for: Palumbo Wolfe & Palumbo PC - By nCourt LLC
6. 13-Nov-2023 FILED: Appellate Clerk Notice re: Appellee's Fees; Appellant's Brief/Case Management Statement Due
7. 13-Nov-2023 FILED: Case Management Statement; Exhibit 1 (Appellant)
8. 22-Nov-2023 FILED: Notice of Appearance; Certificate of Service (Appellee Hospital)
9. 24-Nov-2023 RECEIPT No.: 2023-01102 ; \$140.00, Check Number: # 5185, Applied to: MORIUM CHOWDHURY, et al. - Class B Filing Fee (\$140.00) Paid for: Holden & Armer PC - By Holden & Armer

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0661****HENKE, et al. v. HOSPITAL, et al.****33 PROCEEDING ENTRIES**

10. 29-Nov-2023 RECEIPT No.: 2023-01113 ; \$140.00, Authorization: 33004040849, Applied to: HOSPITAL DEVELOPMENT OF WEST PHOENIX, INC., et al. - Class B Filing Fee (\$140.00) Paid for: Gust Rosenfeld PLC - By nCourt LLC
11. 6-Dec-2023 FILED: Motion for Procedural Order with Consent of Defendant Counsel (Extension of Time to File Opening Brief); Certificate of Service (Appellant)
12. 6-Dec-2023 FILED: Certificate of Service (Duplicate) (Appellant)
13. 7-Dec-2023 ORDERED: Motion for Procedural Order with Consent of Defendant Counsel (Extension of Time to File Opening Brief) (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 12-26-2023 to Friday, 01-26-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
14. 26-Jan-2024 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
15. 4-Mar-2024 FILED: Motion for Procedural Order with Consent of Plaintiff's Counsel (Motion for Extension of Time to File Answering Brief); Certificate of Service (Appellees Chowdhury, et al.)
16. 4-Mar-2024 FILED: Amended Motion for Procedural Order with Consent of Plaintiff's Counsel (Motion for Extension of Time to File Answering Brief); Amended Certificate of Service (Appellees Chowdhury, et al.)
17. 5-Mar-2024 ORDERED: Amended Motion for Procedural Order with Consent of Plaintiff's Counsel (Motion for Extension of Time to File Answering Brief) (Appellees Chowdhury, et al.) = GRANTED. Due dates EXTENDED from Monday, 03-11-2024 to Monday, 04-08-2024. If the briefs are not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
18. 8-Apr-2024 FILED: Answering Brief of Appellee Hospital Development of West Phoenix, Inc; Certificate of Compliance; Certificate of Service (Appellee Hospital)
19. 8-Apr-2024 FILED: Answering Brief of Appellees Morium Chowdhury, M.D.; Certificate of Compliance; Certificate of Service of Answering Brief of Appellees Morium Chowdhury, M.D. (Appellee Chowdhury)
20. 8-Apr-2024 FILED: Appendix to Answering Brief of Appellees Morium Chowdhury, M.D.; Certificate of Service of Appendix to Answering Brief of Appellees Morium Chowdhury, M.D. (Appellee Chowdhury)
21. 26-Apr-2024 FILED: Motion for Procedural Order with Consent of Defendants' Counsel (Reply Brief); Certificate of Service (Appellants)
22. 26-Apr-2024 ORDERED: Motion for Procedural Order with Consent of Defendants' Counsel (Reply Brief) (Appellant) = GRANTED in part. Due dates EXTENDED from Monday, 04-29-2024 to Monday, 05-20-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
23. 20-May-2024 FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
24. 23-May-2024 FILED: Request for Oral Argument; Certificate of Service (Appellee Hospital)
25. 24-May-2024 FILED: Request for Oral Argument; Certificate of Service (Appellee Chowdhury et al.)
26. 4-Jun-2024 ORDERED: Request for Oral Argument (Appellee Hospital)/Request for Oral Argument (Appellee Chowdhury et al.) = GRANTED. Hon David B Gass - Author
27. 10-Jun-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
28. 20-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
29. 25-Jul-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 9-25-24, 10:15 am, COURTROOM 1.
30. 12-Aug-2024 FILED: Notice of Oral Argument
31. 19-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Charles W. Wirken on 08/19/2024 (Appellee Hospital)
32. 19-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Michael J. Ryan on 08/19/2024 (Appellee Chowdhury, et al.)
33. 22-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Elliot Wolfe on 08/22/2024 (Appellant)