

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0710

ACCORD, et al. v. FEDEX

Appellate Case Information

Case Filed: 9-Nov-2023

Case Closed:

Dept/Composition

Department B

Hon. Michael J Brown
Hon. D Steven Williams
Hon. Daniel J Kiley

Side 1. ACCORD TRUCKING, INC., et al., Plaintiff/Appellant

(Litigant Group) ACCORD TRUCKING INC

- Accord Trucking Inc
Susan R Hogan

Attorneys for: Plaintiffs/Appellants

Gregory G McGill, Esq. (AZ Bar No. 11020)
Ryan McGill, Esq. (AZ Bar No. 36456)

Side 2. FEDEX GROUND PACKAGE SYSTEM, INC., Defendant/Appellee

(Litigant Group) FEDEX GROUND PACKAGE SYSTEM, INC.

- FedEx Ground Package System Inc

Co-Counsel for: Defendant/Appellee

Lori A Guner, Esq. (AZ Bar No. 31646)
Gregory M Monaco, Esq. (AZ Bar No. 23965)
Shanicka Kennedy, Esq. (PA Bar No. 88306)

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, CV2018-010982, Breach of Contract, Susanna C Pineda, Authoring Judge of Order.

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR Mixed
24-Sep-2024 Department B; COURTROOM 2
10:15 AM

41 PROCEEDING ENTRIES

- 1. 9-Nov-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/12/23
2. 9-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 9-Nov-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 13-Nov-2023 FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 03/13/2023 - List # 4 6 8 9 11 12 13 16 24 26 27 37 119 159 160 161 162 163 164 165 166 167 168 169 170 171 172 183 196 251 254 291 317
5. 17-Nov-2023 FILED: Notice of Filing Transcript; Certificate of Service; Reporter's Transcript - 03/21/2023 - Trial Day 6 (Diane Donoho) (Appellant)
6. 23-Nov-2023 FILED: Appellant's Notice of Appearance & Payment of Filing Fee; Certificate of Service re Appellant's Notice of Appearance & Payment of Filing Fee (Appellant)
7. 24-Nov-2023 RECEIPT No.: 2023-01098 ; \$280.00, Authorization: #28009875227, Applied to: ACCORD TRUCKING INC - Class A Filing Fee (\$280.00) Paid for: McGill Law Firm - By nCourt LLC
8. 24-Nov-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
9. 29-Nov-2023 FILED: Case Management Statement; Certification of Service (Appellant)
10. 1-Dec-2023 FILED: Reporter's Transcript - 03/14/2023 - Trial Day 2 (Diane Donoho)
11. 1-Dec-2023 FILED: Reporter's Transcript - 03/15/2023 - Trial Day 3 (Diane Donoho)
12. 1-Dec-2023 FILED: Reporter's Transcript - 03/16/2023 - Trial Day 4 (Diane Donoho)

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13. 1-Dec-2023 FILED: Reporter's Transcript - 03/20/2023 - Trial Day 5 (Diane Donoho)
14. 1-Dec-2023 FILED: Reporter's Transcript - 03/21/2023 - Trial Day 6 (Diane Donoho)
15. 1-Dec-2023 FILED: Appellee's Notice of Appearance & Payment of Filing Fee; Certificate of Service (Appellee)
16. 5-Dec-2023 RECEIPT No.: 2023-01134 ; \$140.00, Check Number: #135320172, Applied to: FEDEX GROUND PACKAGE SYSTEM, INC. - Class B Filing Fee (\$0.00), Overpayment Class B (\$140.00) Paid for: FedEx Groud Package Systems - By Sedgwick,as agent for FedEx Ground Package System
17. 5-Dec-2023 RECEIPT No.: 2023-01135 ; \$140.00, Check Number: #135320172, Applied to: FEDEX GROUND PACKAGE SYSTEM, INC. - Class B Filing Fee (\$140.00) Paid for: FedEx Groud Package Systems - By Sedgwick,as agent for FedEx Ground Package System (Memo: x-Ref 2023-01134)
18. 5-Dec-2023 VOID RECEIPT No.: 2023-01134 - \$-140.00, Check Number: #135320172, - Applied to: FEDEX GROUND PACKAGE SYSTEM, INC. - Class B Filing Fee (\$0.00), Overpayment Class B (\$-140.00) Paid for: FedEx Groud Package Systems - By: Sedgwick,as agent for FedEx Ground Package System VOID Reason: X-Ref: 2023-01135. Incorrect obligation satisfied. ala.
19. 7-Dec-2023 RECEIPT No.: 2023-01150 ; \$140.00, Authorization: #41009543858, Applied to: FEDEX GROUND PACKAGE SYSTEM, INC. - Overpayment Class B (\$140.00) Paid for: Fisher & Phillips LLP - By nCourt LLC (Memo: refund needed)
20. 13-Dec-2023 FILED: Appellee's Notice of Filing and Serving Additional Transcripts; Certificate of Service (Appellee)
21. 18-Dec-2023 FILED: Letter dated 12/18/2023 to Fisher & Phillips, LLP from Court re: enclosing check # 113669 in the amount of \$140.00 for refund of monies submitted in error
22. 20-Dec-2023 FILED: Joint Motion for Procedural Order (Opening and Answering Brief); Certificate of Service (Appellant)
23. 21-Dec-2023 ORDERED: Joint Motion for Procedural Order (Opening and Answering Brief) (Appellant) = GRANTED in part. Due date EXTENDED from Monday, 01-08-2024 to Friday, 02-16-2024. If the brief is not timely filed, the court will dismiss this appeal. FURTHER ORDERED: Denying the request to extend the time to file the answering brief without prejudice to appellee filing an extension motion after the due date for the answering brief is set. Melina Brill ProTem Judge - Author
24. 28-Dec-2023 FILED: Appellee's Statement Correcting Appellant's Case Management Statement; Certificate of Service (Appellee)
25. 29-Dec-2023 FILED: Notice of Errata to CMS; Certificate of Service (Appellant)
26. 16-Feb-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
27. 12-Mar-2024 FILED: Motion for Procedural Order for Extension of Time to File Appellee's Answering Brief; Certificate of Service for Appellee's Motion for Procedural Order for Extension of Time to File Appellee's Answering Brief (Appellee)
28. 13-Mar-2024 ORDERED: Motion for Procedural Order for Extension of Time to File Appellee's Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Wednesday, 03-27-2024 to Wednesday, 04-10-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Barbara Vidal Vaught ProTem Judge - Author
29. 10-Apr-2024 FILED: Request for Oral Argument; Certificate of Service for Appellee's Request for Oral Argument (Appellee)
30. 10-Apr-2024 FILED: Answering Brief of Defendant/Appellee FedEx Ground Package System, Inc.; Certificate of Compliance for Appellee's Answering Brief; Certificate of Service for Appellee's Answering Brief (Appellee)
31. 23-Apr-2024 FILED: Motion for Procedural Order Re Reply Brief; Certificate of Service (Appellant)
32. 24-Apr-2024 ORDERED: Motion for Procedural Order Re Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 04-30-2024 to Friday, 05-10-2024. 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
33. 10-May-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
34. 14-May-2024 FILED: Appellant's Motion for Extended Oral Argument; Certificate of Service (Appellant)
35. 4-Jun-2024 ORDERED: Request for Oral Argument (Appellee) = GRANTED. FURTHER ORDERED: Appellant's Motion for Extended Oral Argument (Appellant) = DENIED. Hon Randall M Howe - Author
36. 10-Jun-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
37. 20-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
38. 25-Jul-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department B, 9-24-24, 10:15 am, COURTROOM 2.
39. 12-Aug-2024 FILED: Notice of Oral Argument

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40. 13-Aug-2024 FILED: Return Receipt for Oral Argument, signed by Gregory G. McGill on 08/13/2024 (Appellant)

41. 21-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Gregory M. Monaco on 08/21/2024 (Appellee)