

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0723

MAYWALD, et al. v. TOYOTA, et al.

Appellate Case Information

Case Filed: 15-Nov-2023

Case Closed:

Dept/Composition

Department E

Hon. Brian Y Furuya
Hon. James B Morse
Hon. Andrew M Jacobs

Side 1. SHAWN MAYWALD, an individual, and TANYA L. MAYWALD, an individual, Plaintiff/Appellant

(Litigant Group) SHAWN MAYWALD, et al.

- Shawn Maywald
Tanya L Maywald

Co-Counsel for: Plaintiffs/Appellants

G Lynn Shumway, Esq. (AZ Bar No. 11714)
Brent Ghelfi, Esq. (AZ Bar No. 11491)

Side 2. TOYOTA MOTOR CORPORATION, a Japanese corporation; TOYOTA MOTOR NORTH AMERICA, INC., a California corporation; OVERTYME, INC., an Arizona corporation, Defendant/Appellee

(Litigant Group) TOYOTA MOTOR CORPORATION, et al.

- Toyota Motor Corporation
Toyota Motor North America Inc
Overtyme Inc

Attorneys for: Defendants/Appellees

James Winston Halbrooks, Esq. (AZ Bar No. 24407)
William F Auther, Esq. (AZ Bar No. 14317)
Claudia Ionescu, Esq. (AZ Bar No. 35312)
Amanda E Heitz, Esq. (AZ Bar No. 26519)
Alexander J Egbert, Esq. (AZ Bar No. 33510)

CASE STATUS

Sep 5, 2024.....Under Advisement

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: NAV, S0900CV202100003, Products Liability, Melinda K Hardy, Authoring Judge of Order.

CALENDAR

Calendar table with columns: Thursday, 5-Sep-2024, 11:00 AM. Includes entries for SHAWN MAYWALD, et al. (20 mins) and TOYOTA MOTOR CORPORATION, et al. (20 mins).

35 PROCEEDING ENTRIES

- 1. 13-Nov-2023 FILED: Clerk's Notice of Filing Notice of Appeal and Index of Reported Hearings (Courtesy Copy)
2. 15-Nov-2023 FILED: Index of Record, Notice of Appeal from Navajo County Superior Court filed 10/17/23
3. 15-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
4. 15-Nov-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
5. 22-Nov-2023 RECEIPT No.: 2023-01091 ; \$280.00, Check Number: #014040, Applied to: SHAWN MAYWALD, et al. - Class A Filing Fee (\$280.00) Paid for: Shawn Maywald, et al. - By Shumway Law PLLC
6. 24-Nov-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
7. 29-Nov-2023 FILED: Case Management Statement (Appellant)
8. 29-Nov-2023 FILED: Notice of Filing Transcripts (Appellant)
9. 29-Nov-2023 FILED: Exhibit 1 (Appellant) [Stricken per order filed 12/04/2023]
10. 29-Nov-2023 FILED: Exhibit 2 (Appellant) [Stricken per order filed 12/04/2023]

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0723****MAYWALD, et al. v. TOYOTA, et al.****35 PROCEEDING ENTRIES**

11. 29-Nov-2023 FILED: Exhibit 3 (Appellant)
[Stricken per order filed 12/04/2023]
12. 29-Nov-2023 FILED: Exhibit 4 (Appellant)
[Stricken per order filed 12/04/2023]
13. 30-Nov-2023 RECEIPT No.: 2023-01122 ; \$140.00, Check Number: #30195, Applied to: TOYOTA MOTOR CORPORATION, et al. - Class B Filing Fee (\$140.00) Paid for: - By Bowman and Brooke LLP
14. 4-Dec-2023 ORDERED: Striking the transcripts filed in this court on 11/29/2023. Melina Brill ProTem Judge - Author
15. 15-Dec-2023 FILED: Reporter's Transcript - 07/11/2022 - Trial-Setting Conference (Sheri Schneider)
16. 15-Dec-2023 FILED: Reporter's Transcript - 06/26/2023 - Scheduling Status Conference (Sheri Schneider)
17. 15-Dec-2023 FILED: Reporter's Transcript - 07/17/2023 - Motions for Summary Judgment (Sheri Schneider)
18. 15-Dec-2023 FILED: Reporter's Transcript - 08/14/2023 - Pretrial Conference (Sheri Schneider)
19. 16-Jan-2024 FILED: Request for Oral Argument; Certificate of Service re: Request for Oral Argument (Appellant)
20. 16-Jan-2024 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service Re: Appellants' Opening Brief (Appellant)
21. 9-Feb-2024 FILED: Notice of Appearance and Substitution of Counsel; Certificate of Service for Appellees [sic] Notice of Appearance and Substitution of Counsel (Appellee)
22. 15-Feb-2024 FILED: Stipulated Request for Extension of Time to File Answering and Reply Brief; Certificate of Service for Stipulated Request for Extension of Time to File Answering and Reply Brief (Appellees)
23. 16-Feb-2024 ORDERED: Stipulated Request for Extension of Time to File Answering and Reply Brief (Appellees) = GRANTED in part. Due date EXTENDED from Monday, 02-26-2024 to Monday, 03-04-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. FURTHER ORDERED: Denying the request for an extension of time to file the reply brief. The due date for filing the reply brief will be set after the answering brief is filed and served. If additional time is needed for filing the reply brief, appellants may file an extension motion. Melina Brill ProTem Judge - Author
24. 4-Mar-2024 FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
25. 14-Mar-2024 FILED: Stipulated Request for Extension of Time to File Reply Brief; Certificate of Service re: Stipulated Request for Extension of Time to File Reply Brief (Appellants)
26. 15-Mar-2024 ORDERED: Stipulated Request for Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 03-25-2024 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 filed briefs. Barbara Vidal Vaught ProTem Judge - Author
27. 8-Apr-2024 FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service Re: Appellants' Reply Brief (Appellant)
28. 30-Apr-2024 ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon David B Gass - Author
29. 8-May-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
30. 25-Jul-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 9-5-24, 11:00 am, COURTROOM 2.
31. 13-Aug-2024 FILED: Notice of Oral Argument
32. 13-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Brent Ghelfi on 08/13/2024 (Appellant)
33. 13-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Amanda Heitz on 08/13/2024 (Appellee)
34. 29-Aug-2024 FILED: Memorandum Judge Jacobs for Judge Weinzeig. (Chief Judge Gass)
35. 5-Sep-2024 FILED: Sign-in Sheet/Case is Under Advisement as of 09/05/2024