

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0737

RWI CONSTRUCTION v. SKYZ LLC, et al.

Appellate Case Information

Case Filed: 21-Nov-2023

Case Closed:

Dept/Composition

Department E

Hon. Brian Y Furuya
Hon. James B Morse
Hon. David D Weinzweig

Side 1. RWI CONSTRUCTION SERVICES INC, Plaintiff/Appellee

(Litigant Group) RWI CONSTRUCTION SERVICES INC

- RWI Construction Services Inc

Attorneys for: Plaintiff/Appellee

Karen A Palecek, Esq. (AZ Bar No. 11944)

Side 2. SKYZ LLC, Defendant/Appellant

(Litigant Group) SKYZ LLC

- SKYZ LLC

Attorneys for: Defendant/Appellant

Kimberly A Eckert, Esq. (AZ Bar No. 15040)

Side 3. MIDFIRST BANK, Defendant/Appellee

(Litigant Group) MIDFIRST BANK

- Midfirst Bank

Attorneys for: Defendant/Appellee

Craig A Morgan, Esq. (AZ Bar No. 23373)

CASE STATUS

Aug 27, 2024...Motion for Reconsideration Pending

PREDECESSOR CASE(S)

Table with 6 columns: MAR, CV2019-056797, Cause/Charge/Class (Real Property), Judgment/Sentence, Judge, Role <Comments> (Daniel G Martin, Authoring Judge of Order), Trial, Dispo

2 OPEN DUE DATES

Reply to Attorneys Fees due

Due By: Wednesday, September 18, 2024

Re: FILED: Response to Application for Attorneys' Fees and Costs; Certificate of Service (Appellant)

Reply to Costs due

Due By: Wednesday, September 18, 2024

Re: FILED: Response to Application for Attorneys' Fees and Costs; Certificate of Service (Appellant)

3 PENDING MATTERS

General Motion

Filed: 27-Aug-2024

Motion to Reconsider (Appellant)

General Motion

Filed: 27-Aug-2024

\* Appellee RWI Construction Services, Inc.'s STATEMENT OF COSTS in Support of its Application for Attorneys' Fee (Appellee RWI)

General Motion

Filed: 27-Aug-2024

Appellee RWI Construction Services, Inc.'s Application for Attorneys' FEES (Appellee RWI)

CASE DECISION

13-Aug-2024 MEMORANDUM DECISION

David Weinzweig.....Author
Brian Furuya.....Concur
James Morse.....Concur

Filed: 13-Aug-2024

Mandate:

Decision Disposition

Affirmed

27 PROCEEDING ENTRIES

- 1. 21-Nov-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/23/23

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 23-0737****RWI CONSTRUCTION v. SKYZ LLC, et al.****27 PROCEEDING ENTRIES**

2. 21-Nov-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 21-Nov-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 25-Nov-2023 FILED: Case Management Statement (Appellant)
5. 30-Nov-2023 RECEIPT No.: 2023-01117 ; \$280.00, Authorization: #34008780890, Applied to: SKYZ LLC - Class A Filing Fee (\$280.00) Paid for: Law Offices of Kimberly A Eckert - By nCourt LLC
6. 5-Dec-2023 FILED: Appellate Clerk Notice re: Appellee's Fees; Appellant's Brief Due
7. 5-Dec-2023 FILED: Settlement Conference Program Notice
8. 21-Dec-2023 FILED: Plaintiff/Appellee RWI Construction Services, Inc.'s Notice of Payment of Filing Fee; Plaintiff/Appellee RWI Construction Services, Inc.'s Certificate of Service of Notice of Payment of Filing Fee (Appellee RWI)
9. 27-Dec-2023 RECEIPT No.: 2023-01212 ; \$140.00, Authorization: # 61016573220, Applied to: RWI CONSTRUCTION SERVICES INC - Appellee's Filing Fee (\$140.00) Paid for: Palecek & Palecek PLLC - By nCourt LLC
10. 4-Jan-2024 FILED: Plaintiff/Appellee RWI Construction Services, Inc.'s Case Management Statement Correcting and Supplementing Defendant/Appellant Skyz LLC's Case Management Statement (Appellee RWI)
11. 4-Jan-2024 FILED: Certificate of Service (Appellee RWI)
12. 22-Jan-2024 FILED: Appellant Skyz's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
13. 29-Feb-2024 FILED: Plaintiff/Appellee RWI Construction Services, Inc.'s Motion for Procedural Order (Unopposed Request for Extension to File Answer Brief); Certification of Service (Appellee RWI)
14. 29-Feb-2024 ORDERED: Plaintiff/Appellee RWI Construction Services, Inc.'s Motion for Procedural Order (Unopposed Request for Extension to File Answer Brief) (Appellee RWI) = GRANTED. Due dates EXTENDED from Monday, 03-04-2024 to Wednesday, 04-03-2024. 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
15. 1-Apr-2024 FILED: Plaintiff/Appellee RWI Construction Services, Inc.'s (Second) Motion for Procedural Order (Unopposed Request for Second Extension to File Answer); Plaintiff/Appellee RWI Construction Services, Inc.'s Certificate of Service of (Second) Motion for Procedural Order (Appellee RWI)
16. 1-Apr-2024 ORDERED: Plaintiff/Appellee RWI Construction Services, Inc.'s (Second) Motion for Procedural Order (Unopposed Request for Second Extension to File Answer) (Appellee RWI) = GRANTED. Due dates EXTENDED from Wednesday, 04-03-2024 to Friday, 05-03-2024. 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
17. 3-May-2024 FILED: Plaintiff/Appellee's Answering Brief; Certification of Compliance; Certification of Service (Appellee RWI)
18. 23-May-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
19. 11-Jun-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
20. 21-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
21. 25-Jun-2024 CLNDR: CONFERENCE, Department E, 7-31-24, CONFERENCE ROOM.
22. 13-Aug-2024 FILED: Decision Distribution Notification
23. 13-Aug-2024 MEMORANDUM DECISION (Affirmed) Hon David D Weinzweig - Author; Hon Brian Y Furuya - Concur; Hon James B Morse Jr. - Concur
24. 27-Aug-2024 FILED: Motion to Reconsider; Certificate of Compliance; Certificate of Service (Appellant)
25. 27-Aug-2024 FILED: Appellee RWI Construction Services, Inc.'s Application for Attorneys' Fees; Plaintiff/Appellee RWI Construction Services, Inc.'s Certificate of Service of Application for Attorneys' Fees and Statement of Costs (Appellee RWI)
26. 27-Aug-2024 FILED: Appellee RWI Construction Services, Inc.'s Statement of Costs in Support of its Application for Attorneys' Fees; Plaintiff/Appellee RWI Construction Services, Inc.'s Certificate of Service of Application for Attorneys' Fees and Statement of Costs (Appellee RWI)
27. 11-Sep-2024 FILED: Response to Application for Attorneys' Fees and Costs; Certificate of Service (Appellant)

**Court of Appeals, Division One**

**Civil Appeal**

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**27 PROCEEDING ENTRIES**