

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0086

PAULIN, et al. v. PHOENIX, et al./6th & GARFIELD

Appellate Case Information

Case Filed: 8-Feb-2024

Case Closed:

Dept/Composition

Side 1. BRAMLEY PAULIN, et al., Plaintiff/Appellant/Cross-Appellee

(Litigant Group) BRAMLEY PAULIN, et al.

- Bramley Paulin
- Austin Shea
- 7th Street and Van Buren LLC
- Culver Park - 1129 North First Street LLC
- Mat Englehorn
- Hopelessly Urban LLC

Attorneys for: Plaintiffs/Appellants/Cross-Appellees

Jonathan Matthew Riches, Esq. (AZ Bar No. 25712)
Timothy Sandefur, Esq. (AZ Bar No. 33670)

Side 2. CITY OF PHOENIX, et al., Defendant/Appellee/Cross-Appellant

(Litigant Group) CITY OF PHOENIX, et al.

- City of Phoenix
- Jeff Barton

Attorneys for: Defendants/Appellees/Cross-Appellants

Daniel J Inglese, Esq. (AZ Bar No. 33887)

Side 3. 6TH & GARFIELD OWNER, LLC, Intervenor/Appellee/Cross-Appellant

(Litigant Group) 6TH & GARFIELD OWNER, LLC

- 6th & Garfield Owner LLC

Attorneys for: Intervenor/Appellee/Cross-Appellant

Brett William Johnson, Esq. (AZ Bar No. 21527)
Tracy Olson, Esq. (AZ Bar No. 34616)
Ian R Joyce, Esq. (AZ Bar No. 35806)

CASE STATUS

Aug 6, 2024.....At Issue

| PREDECESSOR CASE(S) | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments> | Trial | Dispo |
|---------------------|----------------------|-------------------|--|-------|-------|
| MAR CV2022-005658 | Declaratory Judgment | | Dewain D Fox, Authoring Judge of Order | | |

CALENDAR

Friday MOTION CALENDAR

30-Aug-2024 Department M;

File date: 8/15/2024.....* Joint Motion for Leave to File Response to Notice of Supplemental Authority or Alternative Motion to Strike (Appellee/Cross-Appellants 6th and Garfield Owner and City of Phoenix)

PENDING MATTER

General Motion

* Joint Motion for Leave to File Response to Notice of Supplemental Authority or Alternative Motion to Strike (Appellee/Cross-Appellants 6th and Garfield Owner and City of Phoenix)

Filed: 15-Aug-2024

Scheduled: 30-Aug-2024

26 PROCEEDING ENTRIES

1. 8-Feb-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 01/11/24
2. 8-Feb-2024 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 8-Feb-2024 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 8-Feb-2024 FILED: Reporter's Transcript - 10/21/2022 - Oral Argument (Michele Kaley) (Appellant/Cross-Appellee)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 24-0086****PAULIN, et al. v. PHOENIX, et al./6th & GARFIELD****26 PROCEEDING ENTRIES**

5. 8-Feb-2024 FILED: Reporter's Transcript - 06/23/2023 - Oral Argument (Kristine Mayo) (Appellant/Cross-Appellee)
6. 14-Feb-2024 RECEIPT No.: 2024-00136 ; \$280.00, Authorization: #45008198441, Applied to: BRAMLEY PAULIN, et al. - Class A Filing Fee (\$280.00) Paid for: Goldwater Institute - By nCourt LLC
7. 20-Feb-2024 FILED: Appellate Clerk Notice Re: Cross Appellant's Fee and Case Management Statement Due/Appellant's Brief Due
8. 20-Feb-2024 FILED: Settlement Conference Program Notice
9. 26-Feb-2024 FILED: Case Management Statement (Appellant/Cross-Appellee)
10. 28-Feb-2024 RECEIPT No.: 2024-00195 ; \$280.00, Check Number: #975504, Applied to: 6TH & GARFIELD OWNER, LLC - Class A Filing Fee (\$280.00) Paid for: - By Snell & Wilmer LLP
11. 20-Mar-2024 FILED: Case Management Statement (Appellee/Cross-Appellant City of Phoenix)
12. 20-Mar-2024 FILED: Case Management Statement (Appellee/Cross-Appellant 6th and Garfield Owner)
13. 8-Apr-2024 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)
14. 8-Apr-2024 FILED: Appellants' Appendix to Opening Brief (Appellant/Cross-Appellee)
15. 6-May-2024 FILED: Unopposed Motion to Extend Time for Combined Answering/Opening Brief; Certificate of Service (Appellee/Cross-Appellant)
16. 7-May-2024 ORDERED: Unopposed Motion to Extend Time for Combined Answering/Opening Brief (Appellee/Cross-Appellant) = GRANTED. Due date EXTENDED from Monday, 05-20-2024 to Friday, 06-07-2024. 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. 7-Jun-2024 FILED: Joint Response Brief and Cross Appeal of Intervenor/Appellee/Cross-Appellant 6th & Garfield Owner LLC, and Defendants/Appellees/Cross-Appellants City of Phoenix and Jeff Barton; Certificate of Compliance; Certificate of Service (Appellee/Cross-Appellants 6th and Garfield Owner and City of Phoenix)
18. 7-Jun-2024 FILED: Supplemental Appendix to Joint Response Brief of Intervenor/Appellee/Cross-Appellant 6th & Garfield Owner LLC, and Defendants/Appellees/Cross-Appellants City of Phoenix and Jeff Barton (Appellee/Cross-Appellants 6th and Garfield Owner and City of Phoenix)
19. 17-Jul-2024 FILED: Appellants' Reply Brief and Response to Cross Appeal of Intervenor/Appellee/Cross-Appellant 6th & Garfield Owner LLC, and Defendants/Appellees/Cross-Appellants City of Phoenix and Jeff Barton and Supplemental Appendix; Certificate of Compliance; Certificate of Service (Appellant)
20. 5-Aug-2024 FILED: Notice of Supplemental Authority; Certificate of Service (Appellant/Cross-Appellee)
21. 6-Aug-2024 FILED: Joint Reply Brief In Support Of Cross Appeal Of Intervenor/Appellee/Cross-Appellant 6th & Garfield Owner LLC, And Defendants/Appellees/ Cross-Appellants City Of Phoenix And Jeff Barton; Certificate of Compliance; Certificate of Service (Appellee/Cross-Appellant)
22. 12-Aug-2024 FILED: Request for Oral Argument; Certificate of Service (Appellants/Cross-Appellees)
23. 15-Aug-2024 FILED: Joint Motion for Leave to File Response to Notice of Supplemental Authority or Alternative Motion to Strike; Certificate of Service (Appellee/Cross-Appellants 6th and Garfield Owner and City of Phoenix)
24. 15-Aug-2024 FILED: Appellees' Request for Oral Argument; Certificate of Service (Appellee/Cross-Appellant)
25. 23-Aug-2024 ORDERED: Request for Oral Argument (Appellants/Cross-Appellees) and Appellees' Request for Oral Argument (Appellee/Cross-Appellant 6th and Garfield Owner and City of Phoenix) = GRANTED.
26. 10-Sep-2024 ORDERED: Deferring a ruling on the motion to the panel that considers this appeal on the merits. Melina Brill ProTem Judge - Author