

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0110

ELI, et al. v. PROCACCIANTI, et al.

Appellate Case Information

Case Filed: 20-Feb-2024

Case Closed:

Dept/Composition

Consolidated with: 1 CA-CV 24-0095 1 CA-CV 24-0108 1 CA-CV 24-0114

Side 1. ZADOK ELI, et al., Plaintiff/Appellant

(Litigant Group) ZADOK ELI, et al.

- Zadok Eli PRO SE
Hana Eli PRO SE

Side 2. PROCACCIANTI AZ II, LP, et al., Defendant/Appellee

(Litigant Group) PROCACCIANTI AZ II, LP

- Procaccianti AZ II LP Attorneys for: Defendant/Appellee Procacciant
Andrew M Federhar, Esq. (AZ Bar No. 6567)
Jessica Anne Gale, Esq. (AZ Bar No. 30583)

(Litigant Group) HILTON CASITAS COUNCIL HOMEOWNERS

- Hilton Casitas Council of Homeowners Attorneys for: Defendant/Appellee Hilton
R Corey Hill, Esq. (AZ Bar No. 12188)
Ginette M Hill, Esq. (AZ Bar No. 18272)
Christopher Robbins, Esq. (AZ Bar No. 11064)

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR CV2012-051066 Breach of Contract Melissa Iyer Julian, Authoring Judge of Order

2 OPEN DUE DATES

Response to Motion due Due By: Friday, August 30, 2024

Re: \* FILED: Intervenor/Appellee Procaccianti AZ II, L.P.'s Request for Service by Email and Mail; Intervenor/Appellee Procaccianti AZ II, L.P.'S Certificate of Service of Request for Service by Email and Mail; Order Granting Intervenor/Appellee Procaccianti

Opening Brief due Due By: Friday, September 20, 2024 [1 extension]

Re: FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due

PENDING MATTER

General Motion Filed: 16-Aug-2024

Intervenor/Appellee Procaccianti AZ II, L.P.'s Request for Service by Email and Mail (Intervenor/Appellee)

33 PROCEEDING ENTRIES

- 1. 20-Feb-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 01/22/24
2. 20-Feb-2024 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 22-Feb-2024 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 29-Feb-2024 RECEIPT No.: 2024-00196 ; \$280.00, Check Number: #2045, Applied to: ZADOK ELI, et al. - Class A Filing Fee (\$280.00) Paid for: ZADOK ELI, et al. - By Zadok Eli
5. 4-Mar-2024 FILED: Appellate Clerk Notice re: Appellee's Fee's; Appellant's Brief/Case Management Statement Due
6. 4-Mar-2024 FILED: Settlement Conference Program Notice
7. 5-Mar-2024 FILED: Appellee Procaccianti AZ II, L.P.'s Notice of Payment of Filing Fee; Certificate of Service of Appellee Procaccianti AZ II, L.P.'s Notice of Payment of Filing Fee (Appellee Procaccianti)

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 24-0110****ELI, et al. v. PROCACCIANTI, et al.****33 PROCEEDING ENTRIES**

8. 5-Mar-2024 FILED: Notice of Appellee's Filing Fee for Hilton Casitas Counsel of Homeowners; Certificate of Service (Appellee Hilton)
9. 11-Mar-2024 RECEIPT No.: 2024-00235 ; \$140.00, Authorization: 71014254320, Applied to: PROCACCIANTI AZ II, LP - Class B Filing Fee (\$140.00) Paid for: Spencer Fane LLP - By nCourt LLC
10. 11-Mar-2024 RECEIPT No.: 2024-00236 ; \$140.00, Authorization: 71014254320, Applied to: HILTON CASITAS COUNCIL CO-OWNERS - Class B Filing Fee (\$140.00) Paid for: HILTON CASITAS COUNCIL CO-OWNERS - By nCourt LLC
11. 11-Mar-2024 RECEIPT No.: 2024-00243 ; \$140.00, Authorization: 71014254320, Applied to: HILTON CASITAS COUNCIL CO-OWNERS - Class B Filing Fee (\$140.00) Paid for: Hill Hall & DeCiancio PLC - By nCourt LLC (Memo: x-ref 2024-00236)
12. 11-Mar-2024 VOID RECEIPT No.: 2024-00236 - \$-140.00, Authorization: 71014254320, - Applied to: HILTON CASITAS COUNCIL CO-OWNERS - Class B Filing Fee (\$-140.00) Paid for: HILTON CASITAS COUNCIL CO-OWNERS - By: nCourt LLC VOID Reason: X-Ref: 2024-00243. incorrect paid for. ala.
13. 11-Mar-2024 FILED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 [sic] (Appellants Pro Per)
14. 11-Mar-2024 FILED: Combined Acceptance of the Court of Appeals' Settlement Conference Program (Appellants Pro Per)
15. 15-Mar-2024 FILED: Procaccianti's Joinder in Appellants Motion to Consolidate 1-CA-CV-0108, 1-CA-CV-24-0110 and 1-CA-CV-0114 with 1-CA-CV-0095; Certificate of Service of Procaccianti's Joinder in Appellants [sic] Motion to Consolidate 1-CA-CV-0108, 1-CA-CV-24-0110 and 1-CA-CV-0114 with 1-CA-CV-0095 (Appellee Procaccianti)
16. 18-Mar-2024 FILED: Defendant Hilton Casitas' Joinder in Motion to Consolidate Appeals and Motion to Correct Caption in Appeals; Certificate of Service - Defendant Hilton Casitas' Joinder in Motion to Consolidate Appeals -and Motion to Correct Caption in Appeals (Appellee)
17. 25-Mar-2024 FILED: Appellant's Joinder to Reply to Joinder to the Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 and Response to Motion to Correct Caption in Appeals (Appellant Pro Per)
18. 28-Mar-2024 ORDERED: Procedural Combined Motion to Consolidate 1 CA-CV 24-0108, 1 CA-CV 24-0110, 1 CA-CV 24-0114 with 1 CA-CV 24-00095 = DENIED. FURTHER ORDERED: Defendant Hilton Casitas' Joinder in Motion to Consolidate Appeals and Motion to Correct Caption in Appeals (Appellee) = GRANTED in part and amending the docket in this appeal by changing appellee "Hilton Casitas Council of Co-Owners" to "Hilton Casitas Council of Homeowners." FURTHER ORDERED: The case management statement must be filed by 04/08/2024. The opening brief remains due by 04/22/2024. If appellants do not file the statement and brief timely, the court will dismiss this appeal. Hon David B Gass - Author
19. 4-Apr-2024 FILED: Case Management Statement (Appellant Pro Per)
20. 5-Apr-2024 FILED: Case Management Statement Amendment (Notice of Errata to Case Management Statement) (Appellant Pro Per)
21. 11-Apr-2024 FILED: Motion for a Procedural [sic] Order of Continuance Pending Decisions on Motions to Reinstate in 1CA-CV 24-0095, 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per)
22. 17-Apr-2024 FILED: Appellee Procaccianti Az li, L.P.'S Response to Elis' Motion for a Procedural Order of Continuance Pending Decisions on Motions to Reinstate in 1- CA-CV-24-0095, 1-CA-CV-24-0108 and 1-CA-CV-24-0114; Certificate of Service Appellee Procaccianti Az li, L.P.'S Response to Elis' Motion for a Procedural Order of Continuance Pending Decisions on Motions to Reinstate in 1-CA-CV-24-0095, 1-CA-CV-24-0108 and 1-CA-CV-24-0114 (Appellee Procaccianti)
23. 19-Apr-2024 ORDERED: Motion for a Procedural [sic] Order of Continuance Pending Decisions on Motions to Reinstate in 1CA-CV 24-0095, 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per) = GRANTED and vacating the 04/22/2024 due date for the opening brief. After the court rules on the motion to reinstate in 1 CA-CV 24-0095, 1 CA-CV 24-0108, and 1 CA-CV 24-0114, the court will set a due date to file the opening brief. Hon David B Gass - Author
24. 1-May-2024 ORDERED: Staying this appeal pending further order. FURTHER ORDERED: Directing appellants to file a status report concerning the motions to reinstate by 06/28/2024, if the stay is not lifted before that date. Melina Brill ProTem Judge - Author
25. 7-Jun-2024 FILED: Copy of Maricopa County Superior Court Order dated 06/03/2024 re: motion to reinstate
26. 26-Jun-2024 FILED: Appellants' Status Report Concerning the Motions to Reinstate in 1 CA-CV 24-0095 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per)
27. 19-Jul-2024 ORDERED: Motion to Reinstate the Appeal of 1 CA-CV 24-0095 (Appellants); Combined Motion to Reinstate 1 CA-CV 24-0108 and 1 CA-CV 24-0114 (Appellants Pro Per) = GRANTED and reinstating appeals 1 CA-CV 24-0095, 1 CA-CV 24-0108, and 1 CA-CV 24-0114. FURTHER ORDERED: vacating the 3/28/24 orders dismissing 1 CA-CV 24-0095, 1 CA-CV 24-0108, and 1 CA-CV 24-0114. FURTHER ORDERED: consolidating appeals 1 CA-CV 24-0095, 1 CA-CV 24-0108, 1 CA-CV 24-0110, and 1 CA-CV 24-0114. FURTHER ORDERED: lifting the stay of this consolidated appeal. FURTHER ORDERED: requiring appellants file case management statements by 7/31/24. FURTHER ORDERED: requiring appellants file opening briefs by 8/27/24. If appellants do not file opening briefs timely, the court will dismiss the consolidated appeal. Hon David B Gass - Author

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 24-0110**

**ELI, et al. v. PROCACCIANTI, et al.**

**33 PROCEEDING ENTRIES**

- 28. 31-Jul-2024 FILED: Amended Case Management Statement; Certificate of Service - Amended Case Management Statement (Appellant)
- 29. 1-Aug-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
- 30. 2-Aug-2024 FILED: Request to Postpone the Opening Brief Deadline Until After the Maricopa County Clerk of the Superior Court Supplements the Elelctronic [sic] Index of Record (Appellant Pro Per)
- 31. 2-Aug-2024 ORDERED: Vacating the 08/27/2024 due date for opening brief. Order ruling on pending motion will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
- 32. 16-Aug-2024 FILED: Intervenor/Appellee Procaccianti AZ II, L.P.'s Request for Service by Email and Mail; Intervenor/Appellee Procaccianti AZ II, L.P.'S Certificate of Service of Request for Service by Email and Mail; Order Granting Intervenor/Appellee Procaccianti AZ II, L.P.'S Request for Service by Email and Mail (Proposed Order) (Intervenor/Appellee)
- 33. 21-Aug-2024 ORDERED: Request to Postpone the Opening Brief Deadline Until After the Maricopa County Clerk of the Superior Court Supplements the Elelctronic = GRANTED. FURTHER ORDERED: Opening briefs are due by 09/20/2024. If the briefs are not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author