

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0120

TRUE HARVEST v. ROCINANTE/PINDERNATION

Appellate Case Information

Case Filed: 23-Feb-2024

Case Closed:

Dept/Composition

Side 1. TRUE HARVEST, LLC, Plaintiff/Appellant/Cross-Appellee

(Litigant Group) TRUE HARVEST, LLC

- True Harvest LLC

Attorneys for: Plaintiff/Appellant/Cross-Appellee

Thomas A Connelly, Esq. (AZ Bar No. 19430)

Robert T Mills, Esq. (AZ Bar No. 18853)

Sean Anthony Woods, Esq. (AZ Bar No. 28930)

Side 2. ROCINANTE CONSTRUCTION, LLC, Defendant/Appellee/Cross-Appellant

(Litigant Group) ROCINANTE CONSTRUCTION, LLC

- Rocinante Construction LLC

Co-Counsel for: Defendant/Appellee Cross Appellant

R Christopher Pierce, Esq. (AZ Bar No. 27200)

John D Lierman, Esq. (AZ Bar No. 30588)

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Andrew R Peshek, Esq. (AZ Bar No. 18558)

Stephanie Kwan Gintert, Esq. (AZ Bar No. 29640)

Justin M Ackerman, Esq. (AZ Bar No. 30726)

Side 3. PINDERNATION ELECTRIC, LLC, Defendant/Appellee

(Litigant Group) PINDERNATION ELECTRIC, LLC

- Pindernation Electric LLC

Co-Counsel for: Defendant/Appellee

James B Reed, Esq. (AZ Bar No. 14015)

Susanne Ingold, Esq. (AZ Bar No. 19143)

Aaron M Duell, Esq. (AZ Bar No. 33450)

Daryl Manhart, Esq. (AZ Bar No. 5471)

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2019-008891, Breach of Contract, Dewain D Fox, Authoring Judge of Order.

2 OPEN DUE DATES

Reply to Motion due Due By: Friday, September 20, 2024

Re: FILED: Plaintiff-Appellant's Response in Opposition to Appellee Pindernation's Motion to Strike Parts of Opening Brief; Certificate of Service (Appellant)

Answering Brief due Due By: Monday, September 30, 2024

Re: FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)

PENDING MATTER

General Motion Filed: 29-Aug-2024

* Appellee Pindernation Motion to Strike Parts of Opening Brief (Appellee)

30 PROCEEDING ENTRIES

- 1. 23-Feb-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 01/25/24, Notice of Cross Appeal from Maricopa County Superior Court 02/01/24
2. 23-Feb-2024 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 26-Feb-2024 FILED: Appellate Clerk Notice re:No Fee's Due [sic]/Case Management Statement/Brief Due
4. 26-Feb-2024 FILED: Amended Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due

Court of Appeals, Division One**Civil Appeal****1 CA-CV 24-0120****TRUE HARVEST v. ROCINANTE/PINDERNATION****30 PROCEEDING ENTRIES**

5. 10-Mar-2024 FILED: Notice of Payment of Appellant's Filing Fee; Certificate of Service (Appellant/Cross-Appellee)
6. 11-Mar-2024 FILED: Notice of Ordering Transcripts; Certificate of Service (Appellant/Cross-Appellee)
7. 11-Mar-2024 FILED: Case Management Statement; Exhibit 1 (Appellant/Cross-Appellee)
8. 12-Mar-2024 FILED: Notice of Association of Counsel; Certificate of Service (Appellee/Cross-Appellant)
9. 15-Mar-2024 RECEIPT No.: 2024-00255 ; \$280.00, Authorization: #75006600974, Applied to: TRUE HARVEST, LLC - Class A Filing Fee (\$280.00) Paid for: Mills and Woods Law PLLC - By nCourt LLC
10. 18-Mar-2024 RECEIPT No.: 2024-00267 ; \$280.00, Authorization: #78012422198, Applied to: ROCINANTE CONSTRUCTION, LLC - Class A Filing Fee (\$280.00) Paid for: Jones Skelton & Hochuli PLC - By nCourt LLC
11. 18-Mar-2024 FILED: Case Management Statement (Appellee/Cross-Appellant)
12. 25-Mar-2024 FILED: Appellate Clerk Notice Re: Appellee/Cross Appellant's Fee paid and Appellant's Brief Due
13. 25-Mar-2024 FILED: Settlement Conference Program Notice
14. 2-Apr-2024 FILED: Letter, 04/02/2024, from Appellee PinderNation to COA1 re: Payment of Filing Fee (Appellee)
15. 8-Apr-2024 RECEIPT No.: 2024-00354 ; \$140.00, Authorization: # 99020802698, Applied to: PINDERNATION ELECTRIC, LLC - Class B Filing Fee (\$140.00) Paid for: Burch & Cracchiolo PA - By nCourt LLC
16. 9-Apr-2024 FILED: Motion to Stay Appeal and for Limited Remand; Certificate of Service (Appellant/Cross-Appellee)
17. 9-Apr-2024 ORDERED: Vacating the 04/26/2024 due date for the opening brief. The order ruling on the pending motion will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
18. 16-Apr-2024 FILED: Opposition to True Harvest's Motion to Stay Appeal and for Limited Remand; Certificate of Service (Defendant/Appellee)
19. 17-Apr-2024 FILED: Cross-Appellant Rocinante Construction's Joinder in Pindernation's Opposition to True Harvest Motion to Stay Appeal and for Limited Remand; Certificate of Service (Appellee/Cross-Appellant)
20. 24-Apr-2024 FILED: Reply in Support of Motion to Stay Appeal and for Limited Remand; Certificate of Service (Appellant/Cross-Appellee)
21. 6-May-2024 ORDERED: Motion to Stay Appeal and for Limited Remand (Appellant/Cross-Appellee) = GRANTED and staying this appeal until 06/17/2024. FURTHER ORDERED: Requiring True Harvest to file the opening brief by 07/18/2024. If True Harvest does not file the brief timely, the court will dismiss this appeal. Hon David B Gass - Author
22. 17-Jun-2024 FILED: Motion to Continue Staying Appeal; Certificate of Service (Appellant/Cross-Appellee)
23. 18-Jun-2024 ORDERED: Motion to Continue Staying Appeal (Appellant/Cross-Appellee) = GRANTED and continuing stay of this appeal until 07/17/2024, for purposes set forth in this court's 05/06/2024 order. FURTHER ORDERED: Stay will be lifted automatically on 07/18/2024, unless before that date appellant files a motion to continue stay that describes status of motion. FURTHER ORDERED: If a party wants this court to review any additional rulings, party must file timely notice of appeal. FURTHER ORDERED: Opening brief due by 08/19/2024. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
24. 27-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
25. 30-Jun-2024 FILED: Notice of Filing Superior Court Hearing Transcripts; Certificate of Service; Reporter's Transcript - 12/02/2022 (Kristy Ceton); Reporter's Transcript - 12/15/2023 (Kristy Ceton) (Appellant/Cross-Appellee)
26. 30-Jun-2024 FILED: Notice of Filing Superior Court Ruling re: Plaintiff/Appellant's Rule 60 Motion for Relief From Judgment; Certificate of Service; Attachment A Copy of Maricopa County Superior Court ME filed 06/25/2024 re: Signed ruling (Appellant)
27. 19-Aug-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)
28. 19-Aug-2024 FILED: Appendix to Opening Brief (Appellant/Cross-Appellee)
29. 29-Aug-2024 FILED: Appellee Pindernation Motion to Strike Parts of Opening Brief; Certificate of Service (Appellee)
30. 13-Sep-2024 FILED: Plaintiff-Appellant's Response in Opposition to Appellee Pindernation's Motion to Strike Parts of Opening Brief; Certificate of Service (Appellant)