

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0278

DMB REALCO, et al. v. MARISCAL, et al.

Appellate Case Information

Case Filed: 12-Apr-2024

Case Closed:

Dept/Composition

Side 1. DMB REALCO, LLC, et al., Plaintiff/Appellant/Cross-Appellee

(Litigant Group) DMB REALCO, LLC, et al.

- DMB Realco LLC
DMB White Tank LLC
DMB Associates Inc
Drew M Brown
Laurie E Brown
Bennett Dorrance
Jacquelynn Dorrance
Michael I Sklar

Attorneys for: Plaintiff/Appellant/Cross-Appellee

Daniel G Dowd, Esq. (AZ Bar No. 12115)
Daniel E Durchslag, Esq. (AZ Bar No. 17213)
Jenna L Brownlee, Esq. (AZ Bar No. 34174)

Side 2. MARISCAL, WEEKS, MCINTYRE & FRIEDLANDER, P.A., et al, Defendant/Appellee/Cross-Appellant

(Litigant Group) MARISCAL, WEEKS, MCINTYRE & FRIEDLANDER, P.A., et al

- Mariscal Weeks McIntyre & Friedlander PA
Dickinson Wright PLLC

Attorneys for: Defendant/Appellee/Cross-Appellant

Michael R. Huston, Esq. (AZ Bar No. 38763)
Diane M Johnsen, Esq. (AZ Bar No. 7634)
Jordan M. Buckwald, Esq. (AZ Bar No. 36610)

(Litigant Group) DENISE BIRNBAUM [DISMISSED PER ORDER FILED 09/06/24]

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2018-010034, Legal Malpractice, Sara J Agne, Authoring Judge of Order.

2 OPEN DUE DATES

Answering/Cross-Opening Brief Due Due By: Thursday, September 19, 2024
Re: FILED: Appellants' Opening Brief; Certificate of Compliance re Opening Brief; Certificate of Service (Appellant/Cross-Appellee) [1 extension]

Response to Motion due Due By: Thursday, September 19, 2024
Re: FILED: Appellees' Unopposed Procedural Motion to Amend the Caption; Certificate of Service (Appellee/Cross-Appellant)

23 PROCEEDING ENTRIES

- 1. 12-Apr-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 03/15/24
2. 12-Apr-2024 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 12-Apr-2024 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 22-Apr-2024 FILED: Appellants' Unopposed Motion for Extension of Time to File Answering (Opening) Brief; Certificate of Service (Appellant/Cross-Appellee)
5. 22-Apr-2024 FILED: Notice of Appearance; Certificate of Service (Appellee/Cross-Appellant)
6. 23-Apr-2024 FILED: Notice of Payment of Appellants' Filing Fee; Certificate of Service (Appellant/Cross-Appellee)
7. 23-Apr-2024 FILED: Notice of Cross-Appellant Fee Payment; Certificate of Service (Appellee/Cross-Appellant)
8. 24-Apr-2024 ORDERED: Appellants' Unopposed Motion for Extension of Time to File Answering (Opening) Brief (Appellants) = GRANTED. Due date EXTENDED from Tuesday, 06-11-2024 to Thursday, 07-11-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author

Court of Appeals, Division One**Civil Appeal****1 CA-CV 24-0278****DMB REALCO, et al. v. MARISCAL, et al.****23 PROCEEDING ENTRIES**

9. 26-Apr-2024 RECEIPT No.: 2024-00423 ; \$280.00, Authorization: #17012912064, Applied to: DMB REALCO, LLC, et al. - Class A Filing Fee (\$280.00) Paid for: Cohen Dowd Quigley PC - By nCourt LLC
10. 29-Apr-2024 RECEIPT No.: 2024-00424 ; \$280.00, Authorization: #20014275391, Applied to: DENNIS BIRNBAUM, et al. - Class A Filing Fee (\$280.00) Paid for: Perkins Coie LLP - By nCourt LLC
11. 30-Apr-2024 FILED: Appellants' Case Management Statement (Appellant/Cross-Appellee)
12. 6-May-2024 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
13. 6-May-2024 FILED: Settlement Conference Program Notice
14. 5-Jun-2024 FILED: Cross-Appellants' Case Management Statement (Appellee/Cross-Appellant)
15. 11-Jul-2024 FILED: Appellant's Opening Brief; Certificate of Compliance re Opening Brief; Certificate of Service (Appellant/Cross-Appellee)
16. 11-Jul-2024 FILED: Appendix to Appellant's Opening Brief Volume 1 (Appellant/Cross-Appellee)
17. 11-Jul-2024 FILED: Appendix to Appellant's Opening Brief Volume 2 (Appellant/Cross-Appellee)
18. 11-Jul-2024 FILED: Appendix to Appellant's Opening Brief Volume 3 (Appellant/Cross-Appellee)
19. 11-Jul-2024 FILED: Appendix to Appellant's Opening Brief Volume 4 (Appellant/Cross-Appellee)
20. 18-Jul-2024 FILED: Appellees' Unopposed Motion for Extension of Time to File Combined Answering Brief on Appeal and Opening Brief on Cross-Appeal; Certificate of Service (Appellee/Cross-Appellant)
21. 19-Jul-2024 ORDERED: designating Defendants' notice of appeal as a cross-appeal. FURTHER ORDERED: amending the caption. FURTHER ORDERED: Appellees' Unopposed Motion for Extension of Time to File Combined Answering Brief on Appeal and Opening Brief on Cross-Appeal (Appellee/Cross-Appellant) = GRANTED. Due date EXTENDED from Tuesday, 08-20-2024 to Thursday, 09-19-2024. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
22. 5-Sep-2024 FILED: Appellees' Unopposed Procedural Motion to Amend the Caption; Certificate of Service (Appellee/Cross-Appellant)
23. 6-Sep-2024 ORDERED: Appellees' Unopposed Procedural Motion to Amend the Caption (Appellee/Cross-Appellant) = GRANTED and amending the caption and docket in this appeal by removing Denise Birnbaum as an appellee/cross-appellant. All future documents filed in this appeal must use the caption shown on this order. Melina Brill ProTem Judge - Author