

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0363

MILLIMAN, et al. v. BERREY

Appellate Case Information

Case Filed: 17-May-2024

Case Closed:

Dept/Composition

Side 1. MILLIMAN INVESTMENTS, LLC, et al., Plaintiff/Appellee

(Litigant Group) MILLIMAN INVESTMENTS, LLC

- Milliman Investments LLC

Attorneys for: Plaintiff/Appellee

Timothy H Barnes, Esq. (AZ Bar No. 3373)

(Litigant Group) RAY MILLIMAN

- Ray Milliman

Attorneys for: Plaintiff/Appellee R. Milliman

Robert C Brown, Esq. (AZ Bar No. 19011)

Side 2. DAVID BERREY, Defendant/Appellant

(Litigant Group) DAVID BERREY

- David Berrey

Attorneys for: Defendant/Appellant

Alexander R Arpad, Esq. (AZ Bar No. 21660)

Side 3. FLOOD CONTROL DISTRICT OF MARICOPA COUNTY, Plaintiff/Appellee

(Litigant Group) FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

- Flood Control District of Maricopa County

Attorneys for: Plaintiff/Appellee Flood Control

Wayne J Peck, Esq. (AZ Bar No. 25677)

Sean M Moore, Esq. (AZ Bar No. 31621)

Side 4. CITY OF MESA, Defendant/Appellee

(Litigant Group) CITY OF MESA

- City of Mesa

Attorneys for: Defendant/Appellee City of Mesa

Vail Cloar, Esq. (AZ Bar No. 32011)

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Rows include MAR CV2019-001517 and MAR CV2020-003452.

OPEN DUE DATE

Reply Brief due

Due By: Tuesday, September 17, 2024

Re: FILED: Answering Brief of Flood Control District of Maricopa County; Certificate of Compliance; Certificate of Service (Appellee Flood Control)

20 PROCEEDING ENTRIES

- 1. 17-May-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/19/24
2. 17-May-2024 FILED: e-Record on Appeal: CV2019-001517 Instruments/Minute Entries Exhibits: None
3. 17-May-2024 FILED: e-Record on Appeal: CV2020-003452 Instruments/Minute Entries Exhibits: None
4. 20-May-2024 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
5. 28-May-2024 FILED: Notice of Substitution of Counsel; Certificate Of Service To Notice Of Substitution Of Counsel, Motion To Consolidate Appeals, And Case Management Statement (Appellant)
6. 28-May-2024 FILED: Case Management Statement (Appellant)
7. 28-May-2024 FILED: Motion to Consolidate Appeals for Oral Argument and Decision; Certificate Of Service To Notice Of Substitution Of Counsel, Motion To Consolidate Appeals, And Case Management Statement (Appellant)

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20 PROCEEDING ENTRIES

8. 3-Jun-2024 RECEIPT No.: 2024-00527 ; \$280.00, Authorization: #55020988964, Applied to: DAVID BERREY - Class A Filing Fee (\$280.00) Paid for: Alexander R Arpad - By nCourt LLC
9. 5-Jun-2024 FILED: Appellate Clerk Notice re: Appellee's Fee Due (R. Milliman/Milliman Investments); No Appellee's Fee Due (Flood Control/City of Mesa); Appellant's Brief Due
10. 6-Jun-2024 FILED: Settlement Conference Program Notice
11. 10-Jun-2024 FILED: Flood Control District of Maricopa County's Response to Motion to Consolidate; Certificate of Service of Appellee's Response to Motion to Consolidate (Appellee Flood Control)
12. 12-Jun-2024 FILED: Reply in Support of Motion to Consolidate Appeals for Oral Argument and Decision; Certificate of Service to Reply in Support of Motion to Consolidate Appeals for Oral Argument and Decision (Appellant)
13. 17-Jun-2024 ORDERED: Motion to Consolidate Appeals for Oral Argument and Decision (Appellant) = DENIED. Hon David B Gass - Author
14. 19-Jul-2024 FILED: Opening Brief; Certificate of Compliance to Opening Brief; Certificate of Service to Opening Brief (Appellant)
15. 19-Jul-2024 FILED: Motion to Assign Case to to the Same Panel of Judges as Milliman v. Berrey, 1 CA-CV 2023-0772 [sic]; Certificate of Service to Opening Brief (Appellant)
16. 26-Jul-2024 FILED: Appellee's Response to Motion to Assign Case to the Panel of Judges as Milliman v. Berrey, 1-CA-CV-2023-0772 [sic]; Certificate of Service Appellee's Response to Motion to Assign Case to the Same Panel of Judges as Milliman v. Berrey, 1-CA-CV-2023-0772 [sic] (Appellee Flood Control)
17. 9-Aug-2024 ORDERED: Motion to Assign Case to to the Same Panel of Judges as Milliman v. Berrey, 1 CA-CV 2023-0772 [sic] (Appellant) = DENIED. Hon David B Gass - Author
18. 28-Aug-2024 FILED: Answering Brief of Flood Control District of Maricopa County; Certificate of Compliance; Certificate of Service (Appellee Flood Control)
19. 28-Aug-2024 FILED: Flood Control District of Maricopa County's Appendix Supporting Answering Brief (Appellee Flood Control)
20. 9-Sep-2024 ORDERED: Upon filing of the reply brief, this appeal will be submitted for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author