

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0449

FIDELITY NATIONAL v. OSBORN III PARTNERS, et al.

Appellate Case Information

Case Filed: 19-Jun-2024

Case Closed:

Dept/Composition

**Side 1. FIDELITY NATIONAL TITLE INSURANCE COMPANY, Plaintiff/Appellant
(Litigant Group) FIDELITY NATIONAL TITLE INSURANCE COMPANY**

- Fidelity National Title Insurance Company

Co-Counsel for: Plaintiff/Appellant

Robert R Berk, Esq. (AZ Bar No. 10162)

Charles M Callahan, Esq. (AZ Bar No. 14984)

David M Satnick, Esq. (NY Bar No. 1053222)

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Side 2. OSBORN III PARTNERS, LLC, et al., Defendant/Appellee

(Litigant Group) OSBORN III PARTNERS, LLC, et al.

- Osborn III Partners LLC
- Trine Holdings LLC
- Robert L Barnes, Jr
- Barnes Investment Limited Partnership
- Yuval Caine
- Mirit Caine
- Shirley A Cannon
- Melvin L Dunsworth, Jr.
- Evertson Oil Compnay Inc
- First Trust Company fo Onaga
- Delery Guillory
- Golden Lending Group LLC
- Bear Tooth Mountain Holdings Limited Partnership
- William L Hawkins Family LLP
- Pueblo Sereno Mobile Home Park LLC
- Michael Johnson Investments II LLC
- Ronald L Kohner
- Maurice J Lazarus
- WCL851106 LLC
- Leah L Lewis
- Carol A Mahakian
- Brett M McFadden
- Maurice J Mintzer
- Robert J Nimmer
- Diana M Nimmer
- John P Putnam
- Maricele Putnam
- Robert Rader
- Katalin Rader
- Morley Rosenfield
- W Scott Schirmer
- Jayesh K Shah
- Vaishali Shah
- Verma Kataria Mortgage Investment LLC

Attorneys for: Defendants/Appellees

Richard M Lorenzen, Esq. (AZ Bar No. 6787)

CASE STATUS

Aug 20, 2024...Stayed

PREDECESSOR CASE(S) +	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2008-033080	Breach of Contract		Danielle J Viola, Authoring Judge of Order		

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PREDECESSOR CASE(S) +	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2009-002138					
MAR CV2009-002641					
MAR CV2009-003123					

OPEN DUE DATE

Court Ordered Document due

Due By:

Friday, October 4, 2024

Re: * ORDERED: Joint Motion to Stay Appeal (Appellant) = GRANTED and staying this appeal. FURTHER ORDERED: Vacating the 09/30/2024 due date for the opening brief. Upon receipt of a stipulation or notice of consent to dismiss, the court will dismiss this appeal

23 PROCEEDING ENTRIES

- 19-Jun-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 05/21/24
- 19-Jun-2024 FILED: e-Record on Appeal: CV2008-033080
Instruments/Minute Entries
Exhibits: None
- 19-Jun-2024 FILED: e-Record on Appeal: CV2009-002138
Instruments/Minute Entries
Exhibits: None
- 19-Jun-2024 FILED: e-Record on Appeal: CV2009-002641
Instruments/Minute Entries
Exhibits: None
- 19-Jun-2024 FILED: Record on Appeal: CV2009-003123
Instruments/Minute Entries
Exhibits: None
- 19-Jun-2024 FILED: e-Record on Appeal: CV2009-050918
Instruments/Minute Entries
Exhibits: None
- 19-Jun-2024 FILED: Record on Appeal: CV2009-019132
Instruments/Minute Entries
Exhibits: None
- 19-Jun-2024 FILED: Record on Appeal: CV2011-001213
Instruments/Minute Entries
Exhibits: None
- 19-Jun-2024 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 19-Jun-2024 FILED: Additional Record on Appeal:
Physical Exhibits: Hearing Date 09/26/2016 - List # 3 4 5 6 7 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 33 34 35 36 37 38 39 40 41 42 43 45 46 47 48 49 50 51 54 56 57 61 62 63 64 65 66 67 68 76 77 80 81 82 86 87 88 89 90 101 102 103 104 106 in Box
- 20-Jun-2024 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellant)
- 25-Jun-2024 RECEIPT No.: 2024-00613 ; \$280.00, Authorization: 77009216909, Applied to: FIDELITY NATIONAL TITLE INSURANCE COMPANY - Class A Filing Fee (\$280.00) Paid for: Jones Skelton & Hochuli PLC - By nCourt LLC
- 25-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (CV2008-033080)
- 2-Jul-2024 FILED: Appellate Clerk Notice re: Appellees' Fee; Appellant's Brief/Case Management Statement Due
- 2-Jul-2024 FILED: Settlement Conference Program Notice
- 3-Jul-2024 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee)
- 8-Jul-2024 FILED: Case Management Statement (Appellant)

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23 PROCEEDING ENTRIES

18. 10-Jul-2024 RECEIPT No.: 2024-00668 ; \$140.00, Authorization: #92009473475, Applied to: OSBORN III PARTNERS, LLC, et al. - Class B Filing Fee (\$140.00) Paid for: RMLaw/PC - By nCourt LLC
19. 29-Jul-2024 ORDERED: Assigning this appeal to the settlement conference program. FURTHER ORDERED: Staying this appeal pending further order of the court and vacating the 08/19/2024, due date for the opening brief. Melina Brill ProTem Judge - Author
20. 31-Jul-2024 ORDERED: Setting a telephonic assessment conference for 08/15/2024 at 10:00 a.m. with Judge Andrew M. Jacobs. Melina Brill ProTem Judge - Author
21. 19-Aug-2024 FILED: Joint Motion to Stay Appeal; Certificate of Service (Appellant)
22. 19-Aug-2024 ORDERED: Removing this appeal from the settlement conference program and lifting the stay of this appeal. FURTHER ORDERED: Opening brief is due by 09/30/2024. If the brief is not timely filed, this court will dismiss this appeal. Hon Andrew M Jacobs - Author
23. 20-Aug-2024 ORDERED: Joint Motion to Stay Appeal (Appellant) = GRANTED and staying this appeal. FURTHER ORDERED: Vacating the 09/30/2024 due date for the opening brief. Upon receipt of a stipulation or notice of consent to dismiss, the court will dismiss this appeal. FURTHER ORDERED: Directing the parties to file a status report by 10/04/2024, if a motion to dismiss the appeal is not filed before that date. Melina Brill ProTem Judge - Author