

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0714

NOVALIS-MARINE, et al. v. MONASH, et al.

Appellate Case Information

Case Filed: 30-Sep-2024

Case Closed:

Dept/Composition

Department F

Hon. Angela K Paton
 Hon. Daniel J Kiley
 Hon. Brian Y Furuya

Side 1. NOVALIS-MARINE, et al., Plaintiff/Appellee/Cross-Appellant

(Litigant Group) NOVALIS-MARINE, et al.

- Cheryl Novalis-Marine
- Jeremy J Marine
- Carrie I Rednour
- Alina Marine
- Magnus Marine
- Carrie L Rednour
- Alina Marine
- Magnus Marine

Co-Counsel for: Plaintiffs/Appellees/X-Appellants

Michael F McNamara, Esq. (AZ Bar No. 11277)
 Claire McNamara, Esq. (AZ Bar No. 36956)
 Robert E Ammons, Esq. (AZ Bar No. 27814)
 Raina Spielman Newsome, Esq. (TX Bar No. rainanewsome)
 Mark A Fuller, Esq. (AZ Bar No. 12149)
 Shannon L Clark, Esq. (AZ Bar No. 19708)
 Erin T Jenkins, Esq. (AZ Bar No. 39689)

Side 2. JEFFREY B MONASH, et al., Defendant/Appellant/Cross-Appellee

(Litigant Group) JEFFREY B. MONASH, et al.

- Jeffrey B Monash
- Tucson Bariatric PC

Co-Counsel for: Defendants/Appellants/X-Appellees

Rita J Bustos, Esq. (AZ Bar No. 25956)
 Tom Slutes, Esq. (AZ Bar No. 1212)
 Monika Kozan, Esq. (AZ Bar No. 37817)

CASE STATUS

Nov 20, 2025...Under Advisement

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
PIM C20202716	Medical Negligence		Wayne E Yehling, Authoring Judge of Order		

64 PROCEEDING ENTRIES

1. 30-Sep-2024 FILED: Notice of Appeal from Pima County Superior Court filed 09/25/24
2. 30-Sep-2024 FILED: Order, 9/26/24, from Court of Appeals, Division Two, transferring matter to Court of Appeals, Division One
3. 30-Sep-2024 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 4-Oct-2024 FILED: Reporter's Transcript - 01/31/2024 - Jury Trial Day Two (Cynthia D. McDevitt)
5. 4-Oct-2024 FILED: Reporter's Transcript - 02/07/2024 - Jury Trial Day Six (Cynthia D. McDevitt)
6. 7-Oct-2024 FILED: Reporter's Transcript - 02/08/2024 - Jury Trial Day 7 (R. Chris King)
7. 7-Oct-2024 FILED: Reporter's Transcript - 02/14/2024 - Jury Trial Day 9 (Debora K. Moore)
 [Stricken per Order filed on 10/08/2024]
8. 8-Oct-2024 FILED: Reporter's Transcript - 02/15/2024 - Jury Trial Day 10 (A. Tracy Jamieson)
9. 8-Oct-2024 FILED: Reporter's Transcript - 02/20/2024 - Jury Trial Day 12 (Final Day) (A. Tracy Jamieson)
10. 8-Oct-2024 ORDERED: Striking the transcript. Melina Brill ProTem Judge - Author
11. 9-Oct-2024 FILED: Reporter's Transcript - 02/14/2024 - Jury Trial Day 9 - (Debora K. Moore)
12. 10-Oct-2024 FILED: Notice of Filing Reporter's Transcripts of Proceedings; Certificate of Service (Appellant)
13. 10-Oct-2024 FILED: Reporter's Transcript - 11/20/2023 - Pending Matters/Motions Hearing - (Colleen R. McCarty) (Appellant)
14. 10-Oct-2024 FILED: Reporter's Transcript - 01/26/2024 - Pretrial Conference - (Colleen R. McCarty) (Appellant)
15. 10-Oct-2024 FILED: Reporter's Transcript - 08/12/2024 - Hearing on Motion for New Trial - (Cori Brickey) (Appellant)

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64 PROCEEDING ENTRIES

- 16. 15-Oct-2024 FILED: Reporter's Transcript - 02/01/2024 - Jury Trial Day Three (Maria Lourdes Haro)
[STRICKEN per order filed 10/16/2024]
- 17. 16-Oct-2024 RECEIPT No.: 2024-01027 ; \$280.00, Authorization: #90005956587, Applied to: JEFFREY B MONASH - Class A Filing Fee (\$280.00) Paid for: Jones Skelton & Hochuli PLC - By nCourt LLC
- 18. 16-Oct-2024 ORDERED: Striking the transcript. Melina Brill ProTem Judge - Author
- 19. 17-Oct-2024 FILED: Notice of Cross-Appeal filed in the Superior Court of Pima County 10/15/24
- 20. 21-Oct-2024 FILED: Case Management Statement (Appellant/Cross-Appellee)
- 21. 21-Oct-2024 FILED: Reporter's Transcript - 02/01/2024 - Jury Trial Day Three - (Maria Lourdes Haro)
- 22. 22-Oct-2024 FILED: Reporter's Transcript - 02/07/2024 - Jury Trial Day Six - (Barbara Smith)
[STRICKEN per order filed 10/24/2024]
- 23. 22-Oct-2024 FILED: Reporter's Transcript - 02/14/2024 - Jury Trial Day Nine- A.M. Session - (Barbara Smith)
- 24. 24-Oct-2024 ORDERED: Striking the transcript. Melina Brill ProTem Judge - Author
- 25. 24-Oct-2024 FILED: Reporter's Transcript - 02/07/2024 - Jury Trial Day Six - (Barbara Smith)
- 26. 25-Oct-2024 FILED: Reporter's Transcript - 02/14/2024 - Jury Trial Day 9- P.M. Session - (Debora K. Moore) (Appellant/Cross-Appellee)
- 27. 29-Oct-2024 FILED: Appellate Clerk Notice Re: Cross Appellant's Fee and Case Management Statement Due/Appellant's Brief Due
- 28. 29-Oct-2024 FILED: Settlement Conference Program Notice
- 29. 6-Nov-2024 FILED: Reporter's Transcript - 02/13/2024 - Jury Trial- Day Eight - (Ellen F. Colonna) (Appellant/Cross-Appellee)
- 30. 7-Nov-2024 FILED: Additional Record on Appeal:
Office of the Clerk, Pima County Superior Court Transmittal Letter, dated 11/04/2024;
Clerk's Certificate of Record on Appeal, dated 11/04/2024;
Physical Exhibits:
Hearing Date: 07/23/2021 - LIST # 1 2 3 4 5 6 7 8 9 10 11 12 13; A B C D E F G H I J K L M N O P Q R S T U V W X Y Z AA AB
AC AD AE AF AG AH AI AJ AK AL AM AN AO AP AQ AR AS AT AU AV AW AX AY AZ BA BB BC BD BE BF BG BH BI BJ BK
BL BM BN BO BP BQ BR BS BT BU BV BW BX BY;
Hearing Dates: 01/30/2024 through 02/20/2024: LIST # 1 2 3 4 5 7 8 10 11 12 13 14 15 20 21 26 28 30 32 33 35 36 37 38 39 40
43 44 47 48 49 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 84 85 87 89 90
91 93 102 105 106 107 108 112 113 135 141 152 174 175 178 207 215 216 217 226 227 228 229 230 231 232 233 234 237 238
239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 262 291 302 303 309 310 311 312 313; A
C F L O P Q R S T U V
- 31. 12-Nov-2024 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee/Cross-Appellant)
- 32. 15-Nov-2024 FILED: Reporter's Transcript - 02/08/2024 - Jury Trial Day 7 (Barbara J Short) (Appellant/Cross-Appellee)
- 33. 15-Nov-2024 FILED: Reporter's Transcript - 02/15/2024 - Jury Trial Day 10 (Barbara J Short) (Appellant/Cross-Appellee)
- 34. 15-Nov-2024 FILED: Reporter's Transcript - 02/06/2024 - Jury Trial Day 5 (Barbara J Short) (Appellant/Cross-Appellee)
- 35. 15-Nov-2024 FILED: Reporter's Transcript - 02/02/2024 - Jury Trial Day 4 (Barbara J Short) (Appellant/Cross-Appellee)
- 36. 18-Nov-2024 RECEIPT No.: 2024-01142 ; \$280.00, Authorization: #23020725204, Applied to: NOVALIS-MARINE, et al. - Class A Filing Fee (\$280.00) Paid for: McNamara Law Firm PLLC - By nCourt LLC
- 37. 22-Nov-2024 FILED: Motion for Procedural Order to Extend Time to File Appellant' Opening Brief; Certificate of Service (Appellant/Cross-Appellee)
- 38. 26-Nov-2024 FILED: Case Management Statement (Appellees/Cross-Appellants)
- 39. 26-Nov-2024 FILED: Record on Appeal:
1 Disc
- 40. 2-Dec-2024 ORDERED: Motion for Procedural Order to Extend Time to File Appellant' Opening Brief (Appellant/Cross-Appellee) = GRANTED and extending the time to file the opening brief from 11/29/2024 to 01/10/2025. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
- 41. 3-Dec-2024 FILED: Reporter's Transcript - 02/16/2024 - Jury Trial Day 11 AM Session (Colleen R. McCarty)
- 42. 3-Dec-2024 FILED: Reporter's Transcript - 02/16/2024 - Jury Trial Day 11 PM Session (Colleen R. McCarty)
- 43. 23-Dec-2024 FILED: Reporter's Transcript - 02/02/2024 - Jury Trial Day 4 AM Session (John T. Bouley) (Appellants/Cross-Appellees)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 24-0714****NOVALIS-MARINE, et al. v. MONASH, et al.****64 PROCEEDING ENTRIES**

44.	23-Dec-2024	FILED: Reporter's Transcript - 02/13/2024 - Jury Trial Day 8 AM Session (John T. Bouley) (Appellants/Cross-Appellees)
45.	6-Jan-2025	FILED: Reporter's Transcript - 02/01/2024 - Jury Trial Day Three (Maria Lourdes Haro) (Appellant)
46.	10-Jan-2025	FILED: Defendant/Appellant/Cross-Appellee's [sic] Opening Brief; Certificate of Compliance; Certificate of Service (Appellants/Cross-Appellees)
47.	13-Jan-2025	FILED: Notice of Appearance; Certificate of Service (Appellee/Cross-Appellant)
48.	4-Feb-2025	FILED: Notice of Appearance; Certificate of Service (Appellees/Cross-Appellants)
49.	4-Feb-2025	FILED: Unopposed Motion for Procedural Order Extending Deadline for Answering Brief; Certificate of Service (Appellees/Cross-Appellants)
50.	5-Feb-2025	ORDERED: Unopposed Motion for Procedural Order Extending Deadline for Answering Brief (Appellees/Cross-Appellants) = GRANTED. Due date EXTENDED from Wednesday, 02-19-2025 to Friday, 04-04-2025. 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
51.	4-Apr-2025	FILED: Appellees' Answering Brief/Cross-Appellants' Opening Brief; Certificate of Compliance for Answering Brief (Answering/Cross-Opening Brief); Certificate of Service (Appellee/Cross-Appellant)
52.	10-Apr-2025	RECEIPT No.: 2025-00369 ; \$165.00, Authorization: #00011272801, Applied to: NOVALIS-MARINE, et al. - Overpayment Class B (\$165.00) Paid for: Gallagher & Kennedy P A - By nCourt LLC (Memo: Refund needed)
53.	24-Apr-2025	FILED: Letter dated 04/24/2025 to Gallagher & Kennedy, P.A from Court re: enclosing check # 114526 in the amount of \$165 for refund of monies submitted in error
54.	12-May-2025	FILED: Reply Brief/Answering Brief on Cross-Appeal; Certificate of Compliance; Certificate of Service (Appellants/Cross-Appellees)
55.	27-May-2025	FILED: Defendants/Appellants [sic] Request for Oral Argument; Certificate of Service (Appellants/Cross-Appellees)
56.	2-Jun-2025	FILED: Cross-Appellants' Reply Brief; Certificate of Compliance for Cross-Appeal Reply Brief; Certificate of Service (Appellees/Cross-Appellants)
57.	10-Jun-2025	FILED: Defendants/Appellants Notice of Change of Contact Information; Certificate of Service (Appellants/Cross-Appellees)
58.	27-Aug-2025	ORDERED: Defendants/Appellants [sic] Request for Oral Argument (Appellants/Cross-Appellees) = GRANTED. Hon Randall M Howe - Author
59.	25-Sep-2025	CLNDR: MONTHLY COURT CASE CALENDAR, Department F, 11-20-25, 09:30 am, COURTROOM 1.
60.	29-Oct-2025	FILED: Notice of Oral Argument
61.	29-Oct-2025	FILED: Return Receipt for Notice of Oral Argument, signed by Rita J. Bustos on 10/29/2025 (Appellant/Cross-Appellee)
62.	3-Nov-2025	FILED: Return Receipt for Notice of Oral Argument, signed by Shannon L. Clark on 11/03/2025 (Appellee/Cross-Appellant)
63.	20-Nov-2025	FILED: Sign-in Sheet/Case is Under Advisement as of 11/20/2025
64.	6-Feb-2026	FILED: Letter dated 02/06/2026 to Gallagher & Kennedy, P.A. from Court re: enclosing check # 114885 in the amount of \$165.00 for refund of monies submitted in error