

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0785

FULLER v. SCOTTSDALE, et al.

Appellate Case Information

Case Filed: 25-Oct-2024

Case Closed:

Dept/Composition

Department E

Hon. D Steven Williams
Hon. Andrew M Jacobs
Hon. Michael S Catlett

Side 1. SHAWN C. FULLER, Plaintiff/Appellee

(Litigant Group) SHAWN C. FULLER

- Shawn C Fuller

Attorneys for: Plaintiff/Appellee

Joshua W Carden, Esq. (AZ Bar No. 21698)

Side 2. CITY OF SCOTTSDALE, et al., Defendant/Appellant

(Litigant Group) CITY OF SCOTTSDALE, et al.

- City of Scottsdale
Sherry Scott

Attorneys for: Defendants/Appellants

Scot L Claus, Esq. (AZ Bar No. 14999)
Vail Cload, Esq. (AZ Bar No. 32011)
Holly M Zoe, Esq. (AZ Bar No. 33333)
Alexandra Crandall, Esq. (AZ Bar No. 34838)

Side 3. LEAGUE OF ARIZONA CITIES AND TOWNS, Amicus Curiae

(Litigant Group) LEAGUE OF ARIZONA CITIES AND TOWNS

- League of Arizona Cities and Towns

Attorney for: Amicus Curiae League

Nancy L Davidson, Esq. (AZ Bar No. 29991)

Side 4. ARIZONA MEDIA ASSOCIATION, et al, Amicus Curiae

(Litigant Group) ARIZONA MEDIA ASSOCIATION, et al

- Arizona Media Association
KPNX-TV Channel 12
NW Communications of Phoenix Inc
Phoenix Newspapers, Inc
Scripps Media, Inc

Attorneys for: Amicus Curiae AZ Media

David Jeremy Bodney, Esq. (AZ Bar No. 6065)
Matthew E Kelley, Esq. (AZ Bar No. 37353)

CASE STATUS

Mar 26, 2026....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2020-052874, Employment Dispute, Frank W Moskowitz, Authoring Judge of Order.

Table with 2 columns: DESCENDENT CASE(S), Cause/Charge/Class. Row 1: ASC, CV-26-0046-PR.

CASE DECISION

15-Jan-2026 MEMORANDUM DECISION

D Williams.....Author
Andrew Jacobs.....Concur
Michael Catlett.....Concur

Filed: 15-Jan-2026

Mandate:

Decision Disposition

Affirmed in Part
Vacated in Part

79 PROCEEDING ENTRIES

- 1. 25-Oct-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/30/24

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0785

FULLER v. SCOTTSDALE, et al.

79 PROCEEDING ENTRIES

- 2. 25-Oct-2024 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None sent with e-Record

Digital Exhibits: Plaintiff Hearing Date 3/20/24 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 75, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 101, 102, 103, 104, 106, 107, 108, 110, 111, 112, 115, 116, 118, 122, 124, 126, 127, 128, 129, 133, 134, 135 Defendants Hearing Date 3/20/24 1, 2, 4, 5, 7, 11, 30, 124, 126, 130, 135, 137, 138, 139, 140a, 140b, 142, 143, 144, 145, 146, 148, 153, 155, 167, 170, 172, 174, 182, 183, 184, 186, 187, 188, 189, 190, 195, 196, 198, 201, 203, 208, 211, 212, 213, 216, 226, 229, 232, 247, 251, 252, 255, 256, 257, 258, 260, 261, 262, 263, 264, 266, 272, 273, 285, 291, 294, 297
- 3. 28-Oct-2024 FILED: Appellate Clerk Notice re: No Appellant's Fee Due/Appellee's Fee Due/Case Management Statement/Brief Due
- 4. 4-Nov-2024 FILED: Appellants' Notice of Filing Transcripts; Certificate of Service to Notice of Filing Transcripts (Appellant)
- 5. 4-Nov-2024 FILED: Reporter's Transcript - 04/29/2024 - Trial Day 8- AM Session - (Kristin M. DeCasas) (Appellant)
- 6. 4-Nov-2024 FILED: Reporter's Transcript - 04/29/2024 - Trial Day 8- PM Session - (Michele Kaley) (Appellant)
- 7. 4-Nov-2024 FILED: Reporter's Transcript - 04/30/2024 - Trial Day 9- AM Session - (Kristin M. DeCasas) (Appellant)
- 8. 4-Nov-2024 FILED: Reporter's Transcript - 04/30/2024 - Trial Day 9- PM Session - (Michele Kaley) (Appellant)
- 9. 4-Nov-2024 FILED: Reporter's Transcript - 05/14/2024 - Verdict - (Michele Kaley) (Appellant)
- 10. 4-Nov-2024 FILED: Reporter's Transcript - 05/01/2024 - Trial Day 10- AM Session - (Kristin M. DeCasas) (Appellant)
- 11. 4-Nov-2024 FILED: Reporter's Transcript - 05/01/2024 - Trial Day 10- PM Session - (Michele Kaley) (Appellant)
- 12. 4-Nov-2024 FILED: Reporter's Transcript - 05/02/2024 - Trial Day 11- AM Session - (Kristin M. DeCasas) (Appellant)
- 13. 4-Nov-2024 FILED: Reporter's Transcript - 05/02/2024 - Trial Day 11- PM Session - (Michele Kaley) (Appellant)
- 14. 4-Nov-2024 FILED: Reporter's Transcript - 04/16/2024 - Trial Day 1- AM Session - (Michele Kaley) (Appellant)
- 15. 4-Nov-2024 FILED: Reporter's Transcript - 04/16/2024 - Trial Day 1- PM Session - (Andres E. Anaya) (Appellant)
- 16. 4-Nov-2024 FILED: Reporter's Transcript - 04/17/2024 - Trial Day 2- PM Session - (Jennifer D. Church) (Appellant)
- 17. 4-Nov-2024 FILED: Reporter's Transcript - 04/18/2024 - Trial Day 3 - (Michele Kaley) (Appellant)
- 18. 4-Nov-2024 FILED: Reporter's Transcript - 04/22/2024 - Trial Day 4- AM Session - (Michele Kaley) (Appellant)
- 19. 4-Nov-2024 FILED: Reporter's Transcript - 04/22/2024 - Trial Day 4- PM Session - (Kristin M. DeCasas) (Appellant)
- 20. 4-Nov-2024 FILED: Reporter's Transcript - 04/23/2024 - Trial Day 5- AM Session - (Michele Kaley) (Appellant)
- 21. 4-Nov-2024 FILED: Reporter's Transcript - 04/23/2024 - Trial Day 5- PM Session - (Kristin M. DeCasas) (Appellant)
- 22. 4-Nov-2024 FILED: Reporter's Transcript - 04/24/2024 - Trial Day 6 - (Michele Kaley) (Appellant)
- 23. 4-Nov-2024 FILED: Reporter's Transcript - 04/25/2024 - Trial Day 7- AM Session - (Michele Kaley) (Appellant)
- 24. 4-Nov-2024 FILED: Reporter's Transcript - 04/25/2024 - Trial Day 7- PM Session - (Kristin M. DeCasas) (Appellant)
- 25. 4-Nov-2024 FILED: Reporter's Transcript - 05/07/2024 - Trial Day 12- AM Session - (Michele Kaley) (Appellant)
- 26. 4-Nov-2024 FILED: Reporter's Transcript - 05/07/2024 - Trial Day 12- AM Session - (Kristin M. DeCasas) (Appellant)
- 27. 4-Nov-2024 FILED: Reporter's Transcript - 05/08/2024 - Trial Day 13- AM Session - (Michele Kaley) (Appellant)
- 28. 4-Nov-2024 FILED: Reporter's Transcript - 05/08/2024 - Trial Day 13- PM Session - (Kristin M. DeCasas) (Appellant)
- 29. 4-Nov-2024 FILED: Reporter's Transcript - 05/09/2024 - Trial Day 14- AM Session - (Michele Kaley) (Appellant)
- 30. 4-Nov-2024 FILED: Reporter's Transcript - 05/09/2024 - Trial Day 14- PM Session - (Kristin M. DeCasas) (Appellant)
- 31. 4-Nov-2024 FILED: Reporter's Transcript - 05/10/2024 - Trial Day 15 - (Michele Kaley) (Appellant)
- 32. 4-Nov-2024 FILED: Reporter's Transcript - 05/13/2024 - Trial Day 16 - (Michele Kaley) (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 24-0785****FULLER v. SCOTTSDALE, et al.****79 PROCEEDING ENTRIES**

33. 5-Nov-2024 ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 12/06/2024, re-vesting jurisdiction in superior court and authorizing that court to consider motion for signed order re: minute entry dated 09/03/2024, filed 09/04/2024. FURTHER ORDERED: Appellant must file motion asking superior court to enter signed order. If no order has been signed by 12/06/2024, appellant must file motion to continue this appeal that describes status of motion. FURTHER ORDERED: Case management statement due by 12/16/2024, and opening brief due by 01/06/2024. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
34. 25-Nov-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes ME dated 09/03/2024, filed 09/04/2024)
35. 1-Dec-2024 FILED: Untitled (Notice of Payment of Filing Fee); Certificate of Service (Appellee)
36. 5-Dec-2024 RECEIPT No.: 2024-01207 ; \$140.00, Authorization: #40006739052, Applied to: SHAWN C. FULLER - Class B Filing Fee (\$140.00) Paid for: Carden Livesay Ltd - By nCourt LLC
37. 13-Dec-2024 FILED: Case Management Statement (Appellants)
38. 18-Dec-2024 FILED: Unopposed Motion for Procedural Order Extending Time to File Opening Brief (First Request); Certificate of Service to Unopposed Motion for Procedural Order Extending Time to File Opening Brief (First Request) (Appellant)
39. 19-Dec-2024 FILED: Settlement Conference Program Notice
40. 19-Dec-2024 ORDERED: Unopposed Motion for Procedural Order Extending Time to File Opening Brief (First Request) (Appellant) = GRANTED. Due date EXTENDED from Monday, 01-06-2025 to Wednesday, 02-05-2025. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
41. 24-Jan-2025 FILED: Appellants' Unopposed Procedural Motion to Designate Additional Transcript on Appeal; Reporter's Transcript - 04/05/2024 - Final Trial Management Conference (Lori L Thielmann); Certificate of Service to Appellants' Unopposed Motion to Designate Additional Transcript (Appellant)
42. 27-Jan-2025 ORDERED: Appellants' Unopposed Procedural Motion to Designate Additional Transcript on Appeal (Appellant) = GRANTED and supplementing the record on appeal with the certified transcript of the 04/05/2024 proceedings. Melina Brill ProTem Judge - Author
43. 5-Feb-2025 FILED: Opening Brief; Certificate of Compliance to Appellants City of Scottsdale and Sherry Scott's Opening Brief; Certificate of Service to Appellants City of Scottsdale and Sherry Scott's Opening Brief (Appellant)
44. 3-Mar-2025 FILED: Unopposed Motion for Procedural Order Extending Time to File Response Brief (First Request); Certificate of Service to Unopposed Motion for Procedural Order Extending Time to File Response Brief (First Request) (Appellee)
45. 3-Mar-2025 ORDERED: Unopposed Motion for Procedural Order Extending Time to File Response Brief (First Request) (Appellee) = GRANTED. Due date EXTENDED from Monday, 03-17-2025 to Monday, 03-31-2025. 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
46. 31-Mar-2025 FILED: Answering Brief of Appellee; Certificate of Compliance; Certificate of Service (Appellee)
47. 7-Apr-2025 FILED: Unopposed Motion for Procedural Order Extending Time to File Reply Brief (First Request); Certificate of Service to Unopposed Motion for Procedural Order Extending Time to File Reply Brief (First Request) (Appellant)
48. 8-Apr-2025 ORDERED: Unopposed Motion for Procedural Order Extending Time to File Reply Brief (First Request) (Appellant) = GRANTED. Due date EXTENDED from Monday, 04-21-2025 to Monday, 04-28-2025. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
49. 21-Apr-2025 FILED: Brief of Amicus Curiae League of Arizona Cities and Towns in Support of Defendants/Appellants City of Scottsdale and Sherry Scott; Certificate of Compliance; Certificate of Service (Amicus Curiae)
50. 21-Apr-2025 FILED: Motion for Leave to File Amicus Brief; Certificate of Service (Amicus Curiae)
51. 28-Apr-2025 FILED: Reply Brief; Certificate of Compliance to Appellants City of Scottsdale and Sherry Scott's Reply Brief; Certificate of Service to Appellants City of Scottsdale and Sherry Scott's Reply Brief (Appellants)
52. 28-Apr-2025 FILED: Appellants City of Scottsdale and Sherry Scott's Request for Oral Argument; Certificate of Service to Appellants City of Scottsdale and Sherry Scott's Request for Oral Argument (Appellant)
53. 5-May-2025 FILED: Appellee's Response to Motion for Leave to File Amicus Brief; Certificate of Service (Appellee)
54. 12-May-2025 FILED: Motion for Leave to File Amicus Curiae Brief by Arizona Media Association; KPNX-TV Channel 12, A Division of Multimedia Holdings Corp.; NW Communications of Phoenix, Inc. D/B/A KSAZ-TV; Phoenix Newspapers, Inc.; and Scripps Media, Inc. D/B/A KNX-TV; Certificate of Service (Amicus Curiae Media)
55. 12-May-2025 FILED: Brief of Amici Curiae Arizona Media Association; KPNX-TV Channel 12, a Division of Multimedia Holdings Corp; NW Communications of Phoenix, Inc. D/B/A KSAZ-TV; Phoenix Newspapers, Inc.; and Scripps Media, Inc. D/B/A KNXV-TV; Certificate of Compliance; Certificate of Service; Declaration of Christopher W. Kline (Amicus Curiae Media)
56. 16-May-2025 ORDERED: Motion for Leave to File Amicus Brief (Amicus Curiae) = GRANTED and accepting the amicus brief. FURTHER ORDERED: Any party may file a response to the brief by 06/09/2025. Hon David B Gass - Author

Court of Appeals, Division One**Civil Appeal****1 CA-CV 24-0785****FULLER v. SCOTTSDALE, et al.****79 PROCEEDING ENTRIES**

57.	20-May-2025	ORDERED: Appellants City of Scottsdale and Sherry Scott's Request for Oral Argument (Appellant) = GRANTED. Hon David B Gass - Author
58.	21-May-2025	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
59.	30-May-2025	FILED: Supplemented Superior Court e-Record with Revised Index of Record
60.	2-Jun-2025	ORDERED: Motion for Leave to File Amicus Curiae Brief by Arizona Media Association; KPNX-TV Channel 12, A Division of Multimedia Holdings Corp.; NW Communications of Phoenix, Inc. D/B/A KSAZ-TV; Phoenix Newspapers, Inc.; and Scripps Media, Inc. D/B/A KNX-TV (Amicus Curiae Media) = GRANTED and accepting the amicus curiae brief of Arizona Media Association; KPNX-TV Channel 12, a Division of Multimedia Holdings Corp.; NW Communications of Phoenix, Inc. d/b/a KSAZ-TV; Phoenix Newspapers, Inc.; and Scripps Media, Inc. d/b/a KNXV-TV filed on 05/12/2025. FURTHER ORDERED: Any party may file a response to the brief by 06/23/2025. Hon David B Gass - Author
61.	9-Jun-2025	FILED: Response Brief Of Appellee To Brief Of Amicus Curiae League Of Arizona Cities And Towns; Certificate of Compliance; Certificate of Service (Appellee)
62.	23-Jun-2025	FILED: Response Brief Of Appellee To Brief Of Amici Curiae Arizona Media Association, Et Al.; Certificate of Compliance; Certificate of Service (Appellee)
63.	25-Jul-2025	CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 9-25-25, 11:00 am, COURTROOM 2.
64.	2-Sep-2025	FILED: Notice of Oral Argument
65.	5-Sep-2025	FILED: Return Receipt for Notice of Oral Argument, signed by Scot Claus on 09/05/2025 (Appellant Scottsdale)
66.	5-Sep-2025	FILED: Return Receipt for Notice of Oral Argument, signed by Joshua W. Carden on 09/05/2025 (Appellee)
67.	25-Sep-2025	FILED: Sign-in Sheet/Case is Under Advisement as of 9/25/2025
68.	30-Sep-2025	FILED: Motion to Dismissal Appeal or for Revesting; Certificate of Service (Appellee)
69.	14-Oct-2025	FILED: Appellants' Response to Fuller's "Motion to Dismiss Appeal or for Revesting"; Certificate of Service to Appellants' Response to Fuller's Motion to Dismissal [sic] Appeal or for Revesting (Appellants)
70.	20-Oct-2025	FILED: Reply to Motion to Dismiss or for Revesting; Certificate of Service (Appellee)
71.	5-Nov-2025	ORDERED: Motion to Dismissal Appeal or for Revesting (Appellee) = DENIED. FURTHER ORDERED: Denying the Appellants' request for reasonable attorneys' fees incurred in responding to the motion to dismiss under ARCAP 25. Hon D Steven Williams - Author
72.	15-Jan-2026	MEMORANDUM DECISION (Affirmed in Part, Vacated in Part) Hon D Steven Williams - Author; Hon Andrew M Jacobs - Concur; Hon Michael S Catlett - Concur
73.	15-Jan-2026	FILED: Decision Distribution Notification
74.	28-Jan-2026	FILED: Notice of Change of Firm and Address; Certificate of Service (Appellee)
75.	30-Jan-2026	FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Service (Appellee)
76.	9-Feb-2026	ORDERED: Motion for Reconsideration (Appellee) = DENIED. Hon D Steven Williams - Author
77.	13-Feb-2026	FILED: ASC Order filed 02/13/2026 re: extending time for filing Petition for Review to 03/26/2026.
78.	27-Mar-2026	FILED: Email Notice from ASC re: Petition for Review filed 03/26/2026; request for partial record
79.	27-Mar-2026	FILED: Letter forwarding partial record to Arizona Supreme Court