

Court of Appeals, Division One

Civil Appeal

1 CA-CV 24-0917

PHOENICIAN EQUITY v. DREAMBRANDS

Appellate Case Information

Case Filed: 18-Dec-2024

Case Closed: 15-Jan-2026

Reinstated x 1: 22-Jan-2026 Decision

Re-Closed:

Dept/Composition

Department D

Hon. David B Gass
Hon. Michael J Brown
Hon. Andrew J Becke

Side 1. PHOENICIAN EQUITY INCOME FUNDS, LLC, Plaintiff/Appellee

(Litigant Group) PHOENICIAN EQUITY INCOME FUNDS, LLC

- Phoenician Equity Income Funds LLC

Attorneys for: Plaintiff/Appellee

Louis D Lopez, Esq. (AZ Bar No. 21191)

Side 2. DREAMBRANDS, INC., Defendant/Appellant

(Litigant Group) DREAMBRANDS, INC.

- Dreambrands Inc

Attorneys for: Defendant/Appellant

Jeffrey Dale Gardner, Esq. (AZ Bar No. 21783)

Jimmie W Pursell, Jr., Esq. (AZ Bar No. 19957)

Christopher Thomas Shanley, Esq. (AZ Bar No. 39491)

CASE STATUS

Jan 22, 2026....Reinstated Case

Jan 9, 2026..... Pending in ASC

PREDECESSOR CASE(S)

Table with 6 columns: Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR CV2024-024285, Petition Seeking Rule 27 Relief, Erik Thorson, Authoring Judge of Order.

DESCENDENT CASE(S)

ASC CV-26-0013-PR

CASE DECISION

10-Dec-2025 OPINION

Vacated

[vacated per order filed 01/22/2026]

Filed: 10-Dec-2025

Mandate:

Decision Disposition

Affirmed

David Gass.....Author

Michael Brown.....Concur

Andrew Becke.....Concur

43 PROCEEDING ENTRIES

- 1. 18-Dec-2024 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 11/21/24
2. 18-Dec-2024 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 19-Dec-2024 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 19-Dec-2024 RECEIPT No.: 2024-01250 ; \$280.00, Check Number: #935576, Applied to: DREAMBRANDS, INC. - Class A Filing Fee (\$280.00) Paid for: Quarles & Brady LLP - By Quarles
5. 2-Jan-2025 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
6. 2-Jan-2025 FILED: Settlement Conference Program Notice
7. 9-Jan-2025 FILED: Case Management Statement (Appellant)
8. 9-Jan-2025 FILED: Motion to Accept Late Filing (Case Mangement Statement); Certificate of Service (Appellant)
9. 9-Jan-2025 ORDERED: Motion to Accept Late Filing (Case Management Statement) (Appellant) = GRANTED and accepting the case management statement filed on 01/09/2025. Melina Brill ProTem Judge - Author
10. 9-Jan-2025 FILED: Reporter's Transcript - 11/01/2024 - Status Conference (Sarah Barnes) (Appellant)
11. 9-Jan-2025 FILED: Notice of Filing of Transcript; Certificate of Service (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 24-0917****PHOENICIAN EQUITY v. DREAMBRANDS****43 PROCEEDING ENTRIES**

12. 10-Jan-2025 ORDERED: (per Sorensen v. Farmers) staying appeal until 02/10/2025, revesting jurisdiction in superior court and authorizing that court to consider a motion for a signed judgment with Rule 54(c) finality language. FURTHER ORDERED: Appellant must file motion asking superior court to enter signed judgment. If no order has been signed by 02/10/2025, appellant must file motion to continue stay of appeal that describes status of matter. Otherwise, this court will dismiss appeal. FURTHER ORDERED: Opening brief due by 03/12/2025. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
13. 14-Jan-2025 FILED: Appellee's Notice of Paying Court Filing Fee; Certificate of Service (Appellee)
14. 16-Jan-2025 FILED: Appellee's Notice of Correcting Case Number Regarding Its Notice of Paying Court Filing Fee; Certificate of Service (Appellee)
15. 22-Jan-2025 RECEIPT No.: 2025-00062 ; \$165.00, Authorization: #22007870689, Applied to: PHOENICIAN EQUITY INCOME FUNDS, LLC - Class B Filing Fee (\$165.00) Paid for: Greenberg Traurig LLP - By nCourt LLC
16. 31-Jan-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes Signed Rule 54(c) Order)
17. 7-Feb-2025 FILED: Judgment Pursuant to Ariz. R. Civ. P. 54(c); Certificate of Service (Appellant)
18. 12-Mar-2025 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
19. 21-Apr-2025 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
20. 21-Apr-2025 FILED: Appellee's Motion for Oral Argument; Certificate of Service (Appellee)
21. 12-May-2025 FILED: Appellant's Reply Brief; Certificate of Compliance Re: Appellant's Reply Brief; Certificate of Service Re: Appellant's Reply Brief (Appellant)
22. 20-May-2025 ORDERED: Appellee's Motion for Oral Argument (Appellee) = GRANTED. Hon David B Gass - Author
23. 27-Jun-2025 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
24. 3-Jul-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record
25. 25-Jul-2025 CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 9-3-25, 09:30 am, COURTROOM 2.
26. 11-Aug-2025 FILED: Notice of Oral Argument
27. 11-Aug-2025 FILED: Return Receipt for Notice of Oral Argument, signed by Jimmie W. Pursell Jr. on 08/11/2025 (Appellant); Certificate of Service for Receipt of Notice of Oral Argument (Appellant)
28. 12-Aug-2025 FILED: Stipulation to Continue Oral Argument; Certificate of Service (Appellee)
29. 15-Aug-2025 FILED: Return Receipt for Notice of Oral Argument, signed by Louis D Lopez on 08/15/2025 (Appellee)
30. 19-Aug-2025 FILED: Return Receipt for Notice of Oral Argument, signed by Jimmie W. Pursell, Jr. on 08/19/2025 (Appellant)
31. 19-Aug-2025 ORDERED: Stipulation to Continue Oral Argument (Appellee) = GRANTED the stipulation and continuing the oral argument from 09/03/2025 to 10/01/2025 at 9:30 a.m. Hon David B Gass - Author
32. 26-Aug-2025 CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 10-1-25, 09:30 am, COURTROOM 2.
33. 4-Sep-2025 FILED: Notice of Oral Argument
34. 4-Sep-2025 FILED: Return Receipt for Notice of Oral Argument, signed by Louis D. Lopez on 09/04/2025 (Appellee)
35. 4-Sep-2025 FILED: Return Receipt for Notice of Oral Argument, signed by Jimmie W. Pursell on 09/04/2025 (Appellant)
36. 4-Sep-2025 FILED: Certificate of Service (Appellant)
37. 1-Oct-2025 FILED: Sign-in Sheet/Case is Under Advisement as of 10/01/2025
38. 10-Dec-2025 OPINION (Affirmed) Hon David B Gass - Author; Hon Michael J Brown - Concur; Hon Andrew J Becke - Concur
39. 10-Dec-2025 FILED: Decision Distribution Notification
40. 15-Jan-2026 FILED: Mandate, No physical record to be returned to clerk, Maricopa County Superior Court.

[vacated per order filed 01/22/2026]
41. 16-Jan-2026 FILED: Email Notice from ASC re: Petition for Review filed 01/09/2026; request for partial record
42. 22-Jan-2026 ORDERED: On the court's accord, vacating the mandate filed 01/15/2026, and reinstating this appeal for the purpose of transferring documents requested by the Arizona Supreme Court for review. Hon Randall M Howe - Author
43. 23-Jan-2026 FILED: Letter forwarding partial record to Arizona Supreme Court

