

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0212

GARCIDUENAS, et al. v. MATRIX NEW WORLD, et al.

Appellate Case Information

Case Filed: 13-Mar-2025

Case Closed:

Dept/Composition

Department C

Hon. Andrew M Jacobs
Hon. Brian Y Furuya
Hon. James B Morse Jr.

Side 1. MARIA E. GARCIDUENAS, et al., Plaintiff/Appellant/Cross-Appellee

(Litigant Group) MARIA E. GARCIDUENAS, et al.

- Maria E Garciduenas
Sergio Damian Garciduenas Barboaz, III

Attorneys for: Plaintiff/Appellant/Cross-Appellee

William D Black, Esq. (AZ Bar No. 5817)
Blake Lindemann, Esq. (CA Bar No. 255747)
Donna Dishbak, Esq. (CA Bar No. 259311)

Side 2. MATRIX NEW WORLD ENGINEERING, INC. et al., Defendant/Appellee/Cross-Appellant

(Litigant Group) MATRIX NEW WORLD ENGINEERING, INC.

- Matrix New World Engineering Inc

Attorneys for: Defendant/Appellee/Cross-Appellant

William D Holm, Esq. (AZ Bar No. 7412)
Mariah Logan, Esq. (AZ Bar No. 35706)
Elizabeth B N Garcia, Esq. (AZ Bar No. 32209)

Side 3. MARICOPA/WESTLAND, Defendant/Appellee

(Litigant Group) MARICOPA

- Maricopa Mountain Domestic Water Improvement District

Attorney for: Defendant/Appellee Maricopa

Anthony J Hancock, Esq. (AZ Bar No. 5889)
W Reed Campbell, Esq. (AZ Bar No. 25960)
Shimin Luo, Esq. (AZ Bar No. 22570)

(Litigant Group) WESTLAND

- Westland Resources Inc

Attorney for: Defendant/Appellee Westland

Andrew Q Everroad, Esq. (AZ Bar No. 16477)

CASE STATUS

May 27, 2026... Under Advisement

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2022-050782, Wrongful Death, Melissa Iyer Julian, Authoring Judge of Order.

CALENDAR

Calendar table with columns: Day, Date, Description, Duration. Includes 'Wednesday MONTHLY COURT CASE CALENDAR' and '27-May-2026 Department C; COURTROOM 1' with case entries.

71 PROCEEDING ENTRIES

- 1. 13-Mar-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 02/12/25
2. 13-Mar-2025 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 13-Mar-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 13-Mar-2025 FILED: Appellant's [sic] Notice of Paying Filing Fee; Certificate of Service (Appellants/Cross-Appellees)
5. 13-Mar-2025 FILED: Case Management Statement (Appellants/Cross-Appellees)
6. 18-Mar-2025 RECEIPT No.: 2025-00270 ; \$330.00, Authorization: #77010785879, Applied to: MARIA E. GARCIDUENAS, et al. - Class A Filing Fee (\$330.00) Paid for: Blake Lindemann - By nCourt LLC
7. 18-Mar-2025 FILED: Appellant's Notice of Decision on Post-Judgment Motion; Certificate of Service (Appellant/Cross-Appellee)
8. 19-Mar-2025 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellee/Cross-Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 25-0212****GARCIDUENAS, et al. v. MATRIX NEW WORLD, et al.****71 PROCEEDING ENTRIES**

9. 20-Mar-2025 FILED: Appellant's Notice of Filing Further Post-Judgment Motion; Certificate of Service; Plaintiff's Motion to Reconsider and Vacate Pursuant to Ariz. R. Civ. P. 7.1(E) and Ariz. R. 60(B) the Court's Orders and Rulings Dated March 13, 2025, Judgment Dated February 5, 2025, and the Under Advisement Ruling Dated December 23, 2024, Based on the Controlling and Intervening Arizona Supreme Court Decision of Perez V. Circle K, No. Cv-24-0104-PR, 2025 WL ____ (Mar. 12, 2025); Memorandum in Support of Plaintiff's Motion to Reconsider and Vacate Pursuant to Ariz. R. Civ. P. 7.1(E) and Ariz. R. 60(B) the Court's Orders and Rulings Dated March 13, 2025, Judgment Dated February 5, 2025, and the Under Advisement Ruling Dated December 23, 2024, Based on Controlling Arizona Supreme Court Decision of Perez V. Circle K, No. Cv-24-0104-PR, 2025 WL ____ (Mar. 12, 2025) (Appellant/Cross-Appellee)
10. 24-Mar-2025 RECEIPT No.: 2025-00293 ; \$330.00, Authorization: #83020795400, Applied to: MATRIX NEW WORLD ENGINEERING, INC. - Class A Filing Fee (\$330.00) Paid for: Jones Skelton & Hochuli PLC - By nCourt LLC
11. 26-Mar-2025 FILED: Appellant's Motion for Procedural Order: To Suspend Opening Brief Due Date or for an Extension Base on the Filing or Post Judgment Motion; Certificate of Service (Appellant/Cross-Appellee)
12. 26-Mar-2025 FILED: Appellant's Notice of Trial Court Order Regarding Further Post-Judgment Motion; Certificate of Service (Appellant/Cross-Appellee)
13. 26-Mar-2025 ORDERED: Appellant's Motion for Procedural Order: To Suspend Opening Brief Due Date or for an Extension Base on the Filing or Post Judgment Motion (Appellant/Cross-Appellee) = GRANTED. FURTHER ORDERED: Vacating the 05/12/2025 due date for the opening brief. The order ruling on the pending Notice of Further Post Judgment Motion will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
14. 27-Mar-2025 FILED: Courtesy Copy - Plaintiff's Motion to Reconsider filed 03/26/2025 in Maricopa County Superior Court (Appellant/Cross-Appellee)
15. 4-Apr-2025 ORDERED: Staying appeal until 05/07/2025, revesting jurisdiction in superior court and authorizing that court to consider motion to reconsider and vacate. FURTHER ORDERED: Stay will be lifted automatically on 05/08/2025 unless appellant files motion to continue stay of appeal. FURTHER ORDERED: Appellant must file notice with ruling attached, and indicating whether appellant intends to pursue appeal. If a party wants this court to review additional rulings, party must file timely notice of appeal or amended notice of appeal. FURTHER ORDERED: Opening brief due by 06/09/2025. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
16. 28-Apr-2025 FILED: Courtesy Copy - Order Denying Motion to Reconsider, filed 04/23/2025 in Maricopa County
17. 5-May-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record
18. 14-May-2025 FILED: Appellant's Motion for Procedural Order: to Authorize Additional Words in Opening Brief; Certificate of Service; Appellant's [sic] Opening Brief (Proposed) (Appellant/Cross-Appellee)
19. 21-May-2025 FILED: Appellant's Consented to Motion for Procedural Order: to Extend Time to File Opening Brief and Appendix; Certificate of Service (Appellant/Cross-Appellee)
20. 21-May-2025 ORDERED: Appellant's Consented to Motion for Procedural Order: to Extend Time to File Opening Brief and Appendix (Appellant/Cross-Appellee) = GRANTED. Due date EXTENDED from Monday, 06-09-2025 to Monday, 07-14-2025. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
21. 30-May-2025 FILED: Case Management Statement (Appellee/Cross-Appellant)
22. 2-Jun-2025 FILED: Appellant's Notice of Filing Designated Transcript on Appeal; Reporter's Transcript - 09/25/2024 - Oral Arguments (Susan Leard); Certificate of Service (Appellant/Cross-Appellee)
23. 6-Jun-2025 ORDERED: Appellant's Motion for Procedural Order: to Authorize Additional Words in Opening Brief (Appellant/Cross-Appellee) = GRANTED and allowing appellants/cross-appellees to file an opening brief with up to 20,000 words. Hon David B Gass - Author
24. 30-Jun-2025 FILED: Appellate Clerk Notice Re: Cross Appellant's and Appellees Fee and Case Management Statement Due/Appellant's Brief Due
25. 2-Jul-2025 FILED: Settlement Conference Program Notice
26. 14-Jul-2025 FILED: Amended Appellate Clerk Notice Re: Appellee's Fee Due/Opening Brief due
27. 14-Jul-2025 FILED: Appellant's Request for Oral Argument (Appellant)
28. 14-Jul-2025 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)
29. 14-Jul-2025 FILED: Appellant's Appendix; Part 1 (Page App-1 Thru Page App-99); Part 2 (Page App-100 thru App-152); Part 3 (Page App-153 thru App-194) (Appellant)
30. 14-Jul-2025 FILED: Appellant's Appendix; Part 4 (Page App-195 thru Page App-291); Part 5 (Page 293 thru Page 420) (Appellant)
31. 23-Jul-2025 RECEIPT No.: 2025-00797 ; \$165.00, Check Number: #052946, Applied to: WESTLAND - Class B Filing Fee (\$165.00) Paid for: - By Schmitt Schneck Even & Williams PC
32. 13-Aug-2025 FILED: Joint First Motion for Procedural Order to Extend Time to File Appellees' Answering Brief and Appellee/Cross-Appellant's Opening Brief; Certificate of Service (Appellee/Cross-Appellant)

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0212

GARCIDUENAS, et al. v. MATRIX NEW WORLD, et al.

71 PROCEEDING ENTRIES

33. 14-Aug-2025 ORDERED: Joint First Motion for Procedural Order to Extend Time to File Appellees' Answering Brief and Appellee/Cross-Appellant's Opening Brief (Appellee/Cross-Appellant) = GRANTED and extending the time to file all answering briefs and the answering brief/cross-appeal opening brief. Due date EXTENDED from Monday, 08-25-2025 to Friday, 10-06-2025. If the briefs are not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
34. 3-Oct-2025 FILED: Answering Brief of Defendant/Appellee Maricopa Mountain Domestic Water Improvement District, Inc.; Certificate of Compliance; Certificate of Service (Appellee Maricopa)
35. 3-Oct-2025 FILED: Answering Brief of Defendant/Appellee Westland Resources, Inc.; Certificate of Compliance; Certificate of Service; Appendix of Defendant/Appellee Westland Resources, Inc. (to Answering Brief) (Appellee Westland)
[Stricken per order filed 10/06/2025]
36. 6-Oct-2025 ORDERED: Striking Westland Resources, Inc.'s answering brief filed on 10/03/2025. FURTHER ORDERED: A replacement answering brief that complies with the Arizona Rules of Civil Appellate Procedure must be filed by 10/16/2025. If a replacement brief is not timely filed, the court will submit this appeal for decision without a brief from Westland Resources, Inc. Melina Brill ProTem Judge - Author
37. 6-Oct-2025 FILED: Answering Brief of Defendant/Appellee Westland Resources, Inc.; Certificate of Compliance; Certificate of Service (Appellee Westland)
38. 6-Oct-2025 FILED: Appendix of Defendant/Appellee Westland Resources, Inc. (Appellee Westland)
39. 6-Oct-2025 FILED: Defendant/Appellee/Cross-Appellant Matrix New World Engineering, Inc.'s Answering Brief/Opening Brief on Cross-Appeal; Certificate of Compliance; Certificate of Service (Appellee/Cross-Appellant Matrix)
40. 20-Oct-2025 FILED: Appellant's Motion for Procedural Order for Extension of Time to File Reply Brief; Certificate of Service (Appellant/Cross-Appellee)
41. 20-Oct-2025 ORDERED: Appellant's Motion for Procedural Order for Extension of Time to File Reply Brief (Appellant/Cross-Appellee) = GRANTED and extending the time to file the respective reply briefs from 10/23 and 10/27/2025 to 11/17/2025. The court will not grant any further extension absent new and unforeseen circumstances. If the briefs are not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
42. 4-Nov-2025 FILED: Appellant's Consented Motion for Procedural Order: to File a Consolidated Reply Brief; Certificate of Service (Appellant/Cross-Appellee)
43. 5-Nov-2025 ORDERED: Appellant's Consented Motion for Procedural Order: to File a Consolidated Reply Brief (Appellant/Cross-Appellee) = GRANTED. Melina Brill ProTem Judge - Author
44. 17-Nov-2025 FILED: Combined Reply Brief of Appellant and Answer Brief on Cross-Appeal; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)
45. 17-Nov-2025 FILED: Appellant's Request to Determine that Issues are Dispositive Based on Recently Decided Cases, or in the Alternative, Request for Oral Argument; Certificate of Service (Appellant/Cross-Appellee)
46. 25-Nov-2025 FILED: Appellee Maricopa Mountain Domestic Water Improvement District's Request for Oral Argument and Response to Appellant's Request to Determine that Issues are Dispositive Based on Recently Decided Cases; Certificate of Service (Appellee Maricopa)
47. 3-Dec-2025 FILED: Appellant's Motion for Procedural Order: To File a Corrected Consolidated Reply Brief; Certificate of Service; Combined Reply Brief of Appellant and Answering Brief on Cross-Appeal (Appellant)
48. 4-Dec-2025 ORDERED: Appellant's Request to Determine That Issues Are Dispositive Based On Recently Decided Cases, or in the Alternative, Request for Oral Argument (Appellant/Cross-Appellee) = DENIED. FURTHER ORDERED: The court will address the oral argument requests in a separate order. Melina Brill ProTem Judge - Author
49. 5-Dec-2025 FILED: Appellant's Notice of Errata re: Appellant's Combined Reply Brief and Answering Brief on Cross-Appeal; Certificate of Service (Appellant/Cross-Appellee)
[Stricken per order filed 01/07/2026]
50. 8-Dec-2025 FILED: Defendant/Appellee/Cross-Appellant Matrix New World Engineering, Inc.'s Cross-Appeal Reply Brief; Certificate of Compliance; Certificate of Service (Appellee/Cross-Appellant Matrix)
51. 8-Dec-2025 FILED: Matrix New World Engineering, Inc.'s Motion to Strike Appellant's "Notice of Errata"; Certificate of Service (Appellee/Cross-Appellant)
52. 17-Dec-2025 FILED: Matrix New World Engineering, Inc.'s Response to Appellant's "Motion for Procedural Order: To File a Corrected Consolidated Reply Brief"; Certificate of Service (Appellee/Cross-Appellant)
53. 26-Dec-2025 FILED: Appellant's Response in Opposition to Motion to Strike Notice of Errata; Certificate of Service (Appellant/Cross-Appellee)
54. 26-Dec-2025 FILED: Appellant's Reply in Support of Motion to File a Corrected Consolidated Reply Brief; Certificate of Service (Appellant/Cross-Appellee)

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0212

GARCIDUENAS, et al. v. MATRIX NEW WORLD, et al.

71 PROCEEDING ENTRIES

55.	31-Dec-2025	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
56.	5-Jan-2026	FILED: Matrix New World Engineering, Inc.'s Reply in Support of its Motion to Strike Appellant's "Notice of Errata"; Certificate of Service (Appellee/Cross-Appellant)
57.	7-Jan-2026	ORDERED: Matrix New World Engineering, Inc.'s Motion to Strike Appellant's "Notice of Errata" (Appellee/Cross-Appellant) = GRANTED and striking the notice of errata. FURTHER ORDERED: Appellant's Motion for Procedural Order: To File a Corrected Consolidated Reply Brief (Appellant) = GRANTED and accepting the amended reply brief/cross-appeal answering brief filed on 12/03/2025, in place of the brief filed on 11/17/2025. FURTHER ORDERED: Appellee/cross-appellant may file supplemental cross-reply brief by 02/06/2026, to address the amendments in the cross-appeal answering brief. FURTHER ORDERED: Denying appellee/cross-appellant's request for fees incurred in connection with the motion to strike without prejudice to the merits panel considering all requests for fees in the briefs. Hon Randall M Howe - Author
58.	7-Jan-2026	ORDERED: Appellant's Request for Oral Argument (Appellant/Cross-Appellee); Appellee Maricopa Mountain Domestic Water Improvement District's Request for Oral Argument and Response to Appellant's Request to Determine that Issues are Dispositive Based on Recently Decided Cases (Appellee Maricopa) = GRANTED. Hon Randall M Howe - Author
59.	9-Jan-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record
60.	6-Feb-2026	FILED: Defendant/Appellee/Cross-Appellant Matrix New World Engineering, Inc.'s Supplemental Cross-Appeal Reply Brief; Certificate of Compliance; Certificate of Service (Appellee/Cross-Appellant)
61.	18-Feb-2026	FILED: Appellant's Motion to Associate Counsel Pro Hac Vice; Certificate of Service; Exhibit 1; Exhibit 2 (Appellant)
62.	18-Feb-2026	ORDERED: Appellant's Motion to Associate Counsel Pro Hac Vice (Appellant) = DENIED as unnecessary. Melina Brill ProTem Judge - Author
63.	25-Mar-2026	CLNDR: CONFERENCE, Department C, 5-27-26, COURTROOM 1.
64.	25-Mar-2026	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
65.	3-Apr-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record
66.	6-May-2026	FILED: Notice of Oral Argument
67.	6-May-2026	FILED: Return Receipt for Notice of Oral Argument, signed by Anthony J. Hancock, Esq. on 05/06/2026 (Appellee)
68.	7-May-2026	FILED: Return Receipt For Notice Of Oral Argument signed by Blake J. Lindemann on 05/06/2026 (Appellant)
69.	7-May-2026	FILED: Return Receipt for Notice of Oral Argument, signed by Elizabeth B. N. Gracia on 05/07/2026 (Appellee)
70.	7-May-2026	FILED: Return Receipt For Notice Of Oral Argument signed by Andrew Q. Everroad on 05/07/2026 (Appellee)
71.	27-May-2026	FILED: Sign-in Sheet/Case is Under Advisement as of 05/27/2026