

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0835

MALONEY v. DEMOFF, et al.

Appellate Case Information

Case Filed: 20-Oct-2025

Case Closed:

Dept/Composition

Department E

Hon. Michael J Brown
Hon. Veronika Fabian
Hon. Randall M Howe

Side 1. TOBY MALONEY, Plaintiff/Counterdefendant/Appellant

(Litigant Group) TOBY MALONEY

- Toby Maloney

Attorneys for: Plaintiff/CnterDefndant/Appellant

Patricia A Premeau, Esq. (AZ Bar No. 15076)

Side 2. TONJA LYNN DEMOFF, et al., Defendant/Counterclaimant/Appellee

(Litigant Group) TONJA LYNN DEMOFF, et al.

- Tonja Lynn Demoff
Virtual Consulting Group, LLC
K&L Family Business, 2017, LLC

Co-Counsel for: Defendants/CntrClimants/Appellees

Wyatt M Bailey, Esq. (AZ Bar No. 20356)

Brian Konkell, Esq. (IL Bar No. briankonkel)

CASE STATUS

Jun 2, 2026.....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, V1300CV202280256, Fraud, Unjust Enrichment, Breach of Contract, Linda Wallace, Authoring Judge of Order.

2 OPEN DUE DATES

Motion for Reconsideration Due

Due By: Wednesday, June 17, 2026

Re: MEMORANDUM DECISION (Affirmed) Hon Veronika Fabian - Author; Hon Michael J Brown - Concur; Hon Randall M Howe - Concur

Petition for Review to ASC Due

Due By: Thursday, July 2, 2026

Re: MEMORANDUM DECISION (Affirmed) Hon Veronika Fabian - Author; Hon Michael J Brown - Concur; Hon Randall M Howe - Concur

CALENDAR

Calendar table with columns: Day, Event, Time, Duration. Includes 'MONTHLY COURT CASE CALENDAR' and 'Department E; COURTROOM 2' with case names and 20 min durations.

CASE DECISION

02-Jun-2026 MEMORANDUM DECISION

Veronika Fabian.....Author
Michael Brown.....Concur
Randall Howe.....Concur

Filed: 02-Jun-2026 Mandate:

Table with 1 column: Decision Disposition. Value: Affirmed

27 PROCEEDING ENTRIES

- 1. 20-Oct-2025 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 09/23/25
2. 20-Oct-2025 FILED: e-Record on Appeal: Combined Instruments/Minute Entries Exhibits: None
3. 23-Oct-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 30-Oct-2025 FILED: Notice of Payment of Appellant's Filing Fee; Certificate of Service of Notice of Payment of Appellant's Filing Fee (Appellant)
5. 5-Nov-2025 RECEIPT No.: 2025-01215 ; \$330.00, Authorization: 09007637490, Applied to: TOBY MALONEY - Class A Filing Fee (\$330.00) Paid for: Nearhood Law Offices PLC - By Nearhood Law Offices PLC
6. 5-Nov-2025 RECEIPT No.: 2025-01217 ; \$330.00, Authorization: 09007637490, Applied to: TOBY MALONEY - Class A Filing Fee (\$330.00) Paid for: Nearhood Law Offices PLC - By nCourt LLC (Memo: X-Ref: 2025-01215)

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 25-0835****MALONEY v. DEMOFF, et al.****27 PROCEEDING ENTRIES**

7.	5-Nov-2025	VOID RECEIPT No.: 2025-01215 - \$-330.00, Authorization: 09007637490, - Applied to: TOBY MALONEY - Class A Filing Fee (\$-330.00) Paid for: Nearhood Law Offices PLC - By: Nearhood Law Offices PLC VOID Reason: X-Ref: 2025-01217. incorrect paid by. alr.
8.	10-Nov-2025	FILED: Appellate Clerk Notice re: Appellees Fee; Appellant's Brief/Case Management Statement Due
9.	10-Nov-2025	FILED: Settlement Conference Program Notice
10.	12-Nov-2025	FILED: Case Management Statement (Appellant)
11.	12-Nov-2025	FILED: Certificate of Service Re Case Management Statement (Appellant)
12.	17-Nov-2025	RECEIPT No.: 2025-01270 ; \$165.00, Check Number: #100148, Applied to: TONJA LYNN DEMOFF, et al. - Class B Filing Fee (\$165.00) Paid for: - By Duggan Bertsch, LLC
13.	22-Dec-2025	FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service of Appellant's Opening Brief (Appellant)
14.	22-Dec-2025	FILED: Appendix to Appellant's Opening Brief; Certificate of Service of Appellant's Appendix (Appellant)
15.	29-Jan-2026	FILED: Appellee's Response Brief; Certificate of Compliance; Certificate of Service of Appellee's Response Brief (Appellees)
16.	2-Feb-2026	FILED: Notice of Errata Regarding Appellee's Response Brief; Certificate of Service of Notice of Errata Regarding Appellee's Response Brief (Appellees)
17.	20-Feb-2026	FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
18.	20-Feb-2026	FILED: Request for Oral Argument; Certificate of Service of Request for Oral Argument (Appellant)
19.	10-Mar-2026	ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Randall M Howe - Author
20.	25-Mar-2026	CLNDR: MONTHLY COURT CASE CALENDAR, Department E, 5-21-26, 11:00 am, COURTROOM 2.
21.	20-Apr-2026	ORDERED: Setting oral argument in this matter on 05/21/2026 at 10:15 a.m in Courtroom 2. Hon Michael J Brown - Author
22.	28-Apr-2026	FILED: Memorandum: Judge Howe for Judge Weinzweig (Chief Judge Howe)
23.	12-May-2026	FILED: Return Receipt for Notice of Oral Argument, Signed by Brian Konkel on 04/27/2026 (Appellee)
24.	12-May-2026	FILED: Return Receipt for Notice of Oral Argument, Signed by Patricia A. Premeau on 04/20/2026 (Appellant)
25.	22-May-2026	FILED: Sign-in Sheet/Case is Under Advisement as of 05/21/2026
26.	2-Jun-2026	MEMORANDUM DECISION (Affirmed) Hon Veronika Fabian - Author; Hon Michael J Brown - Concur; Hon Randall M Howe - Concur
27.	2-Jun-2026	FILED: Decision Distribution Notification