

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-1052

LOPRESTO, et al. v. WIGWAM

Appellate Case Information

Case Filed: 23-Dec-2025

Case Closed:

Dept/Composition

Side 1. KEVIN LOPRESTO, et al., Plaintiff/Appellee

(Litigant Group) KEVIN LOPRESTO, et al.

- Kevin Lopresto
Jennifer Lopresto

Attorneys for: Plaintiffs/Appellees

Jonathan A Dessauls, Esq. (AZ Bar No. 19439)
F Robert Connelly, Esq. (AZ Bar No. 21031)

Side 2. WIGWAM CREEK SOUTH COMMUNITY ASSOCIATION, Defendant/Appellant

(Litigant Group) WIGWAM CREEK SOUTH COMMUNITY ASSOCIATION

- Wigwam Creek South Community Association
Wigwam Creek South Homeowners Association (D/B/A)

Attorneys for: Defendant/Appellant

Christopher D Lonn, Esq. (AZ Bar No. 15166)
Natalie Zarasian, Esq. (AZ Bar No. 40794)

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2025-013626, Breach of Contract, Christopher Whitten, Authoring Judge of Order.

OPEN DUE DATE

Reply Brief Due

Due By:

Thursday, June 4, 2026

Re: FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)

PENDING MATTER

Div 1 Request for Oral Argument

Filed: 26-Mar-2026

Request for Oral Argument (Appellant)

20 PROCEEDING ENTRIES

- 1. 23-Dec-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 11/25/25
2. 23-Dec-2025 FILED: e-Record on Appeal: Combined Instruments/Minute Entries Exhibits: None
3. 24-Dec-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 5-Jan-2026 FILED: Notice of Payment of Filing Fees; Certificate of Service (Appellant)
5. 6-Jan-2026 FILED: Notice of Filing Transcript; Certificate of Service; Reporter's Transcript - 08/15/2025 - (Jane Daniel) (Appellant)
6. 9-Jan-2026 RECEIPT No.: 2026-00037 ; \$330.00, Authorization: #09008851432, Applied to: WIGWAM CREEK SOUTH COMMUNITY ASSOCIATION - Class A Filing Fee (\$330.00) Paid for: Sacks Tierney PA - By nCourt LLC
7. 13-Jan-2026 FILED: Case Management Statement; Certificate of Service (Appellant)
8. 26-Jan-2026 ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 02/25/2026, re-vesting jurisdiction in superior court and authorizing that court to consider motion for signed order corresponding to the ruling on the motion to compel arbitration. FURTHER ORDERED: Appellant must file motion asking superior court to enter signed order. If no order has been signed 02/25/2026, appellant must file motion to continue this appeal that describes status of motion. Otherwise, this court will dismiss this appeal. FURTHER ORDERED: The opening brief is due by 03/27/2026. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
9. 18-Feb-2026 FILED: Notice of Lodging Order Dated 02/11/2026; Courtesy Copy (Superior Court Order) (Appellant)
10. 18-Feb-2026 FILED: Notice of Lodging Order Dated 02/11/2026; Certificate of Service; Courtesy Copy (Order Denying Defendant's Motion to Compel Arbitration) (Appellant)
11. 20-Feb-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record
12. 26-Mar-2026 FILED: Request for Oral Argument; Certificate of Service (Appellant)
13. 26-Mar-2026 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
14. 26-Mar-2026 FILED: Appendix to Appellant's Opening Brief Volume 1 (Appellant)
15. 26-Mar-2026 FILED: Appendix to Appellant's Opening Brief Volume 2 (Appellant)

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Civil Appeal

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LOPRESTO, et al. v. WIGWAM

20 PROCEEDING ENTRIES

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| 16. | 29-Apr-2026 | FILED: Appellees' Procedural Motion to Extend Deadline to File Answering Brief; Certificate of Service (Appellees) |
| 17. | 30-Apr-2026 | RECEIPT No.: 2026-00562 ; \$165.00, Check Number: #9465, Applied to: KEVIN LOPRESTO, et al. - Class B Filing Fee (\$165.00) Paid for: - By Dessauls Law Group |
| 18. | 1-May-2026 | ORDERED: Appellees' Procedural Motion to Extend Deadline to File Answering Brief (Appellees) = GRANTED and extending the time to file the answering brief from 05/05/2026 to 05/15/2026. The court will not grant any further extension absent new and unforeseen circumstances. 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 |
| 19. | 15-May-2026 | FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellee) |
| 20. | 15-May-2026 | FILED: Appellees' Appendix in Support of Answering Brief (Appellee) |