

Court of Appeals, Division One
Industrial Commission

1 CA-IC 23-0028

MINGA v. CHEWY/SAFETY

Appellate Case Information

Case Filed: 6-Nov-2023

Case Closed:

Dept/Composition

Side 1. BRANDON MINGA, Petitioner

(Litigant Group) BRANDON MINGA

- Brandon Minga, Petitioner Employee

Attorneys for: Petitioner

Jessica M Cotter, Esq. (AZ Bar No. 21726)

Side 2. THE INDUSTRIAL COMMISSION OF ARIZONA,

Respondent,

CHEWY INC,

Respondent Employer,

SAFETY NATIONAL CASUALTY CORP,

Respondent Carrier.

, Respondent

(Litigant Group) ICA

- Industrial Commission of Arizona

Attorneys for: Respondent ICA

Afshan Peimani, Esq. (AZ Bar No. 26156)

(Litigant Group) CHEWY INC/SAFETY NATIONAL CASUALTY CORP

- Chewy Inc, Respondent Employer
- Safety National Casualty Corporation, Respondent Insurance Carrier

Attorneys for: Respondent Employer/Carrier

Kevin E Karges, Esq. (AZ Bar No. 32588)

CASE STATUS

Aug 8, 2024.....Stayed (until 11/6/24)

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
ICA 20222910019			Amy L Foster, Administrative Law Judge		
INSCA 4A2210V1J6B-0001			Comments: (none)		

OPEN DUE DATE

Answering Brief due

Due By:

Friday, December 6, 2024

Re: FILED: Appellant's Opening Brief; Certificate (of Compliance); Proof of Service (Petitioner)

29 PROCEEDING ENTRIES

- 6-Nov-2023 FILED: Petition for Special Action - Industrial Commission (Petitioner Pro Per)
- 6-Nov-2023 FILED: Application for Deferral or Waiver of Court Fees or Costs (Petitioner Pro Per)
- 8-Nov-2023 ORDERED: Application for Deferral or Waiver of Court Fees or Costs (Petitioner Employee) = DEFERRAL GRANTED. Applicant shall pay \$70.00 each month until paid in full, beginning 11/21/2023. Amy M Wood - Author
- 14-Nov-2023 FILED: Proof of Service (Petitioner Pro Per)
- 15-Nov-2023 FILED: Writ of Review
FILED: Certificate of Mailing re: Writ of Review
- 16-Nov-2023 FILED: Notice of Appearance; (Untitled) Certificate of Service (Respondent Employer/Carrier)
- 20-Nov-2023 FILED: Notice of Change of Address (Petitioner Pro Per)
- 21-Nov-2023 FILED: Notice of Appearance; Certificate of Service (Respondent ICA)

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29 PROCEEDING ENTRIES

9.	21-Nov-2023	FILED: Request to Participate in Pro Bono Program (Petitioner Pro Per)
10.	21-Nov-2023	FILED: e-Record on Appeal: ALJ Hearing File (1 volume) Claims File (1 volume)
11.	24-Nov-2023	RECEIPT No.: 2023-01096 ; \$70.00, Authorization: #28009875228, Applied to: BRANDON MINGA - Class A Filing Fee (\$70.00) Paid for: BRANDON MINGA - By nCourt LLC (Memo: Partial payment)
12.	24-Nov-2023	RECEIPT No.: 2023-01097 ; \$140.00, Authorization: #28009875227, Applied to: CHEWY INC/SAFETY NATIONAL CASUALTY CORP - Class B Filing Fee (\$140.00) Paid for: Norton & Brozina PC - By nCourt LLC
13.	4-Dec-2023	FILED: Notice of Appearance; (Untitled) Certificate of Service (Respondent Employer/Carrier)
14.	14-Dec-2023	ORDERED: Request to Participate in Pro Bono Program (Petitioner Pro Per) = GRANTING the request and placing this special action in the Court's pro bono program. After the Pro Bono Coordinator identifies a volunteer attorney, the attorney will contact petitioner to discuss and agree on the terms of the representation. FURTHER ORDERED: That pro bono counsel must file a notice of appearance by 01/22/2024. FURTHER ORDERED: Staying this special action pending further order of the Court and vacating the 01/02/2024 due date for the opening brief. Hon David B Gass - Author
15.	27-Dec-2023	RECEIPT No.: 2023-01206 ; \$70.00, Authorization: #61016573223, Applied to: BRANDON MINGA - Class A Filing Fee (\$70.00) Paid for: BRANDON MINGA - By nCourt LLC (Memo: Partial Payment)
16.	16-Jan-2024	ORDERED: Extending the time for pro bono counsel to file a notice of appearance from 01/22/2024 to 02/21/2024. Melina Brill ProTem Judge - Author
17.	18-Jan-2024	RECEIPT No.: 2024-00047 ; \$140.00 Applied to: BRANDON MINGA - Class A Filing Fee (\$140.00) Paid for: - By BRANDON MINGA
18.	21-Feb-2024	ORDERED: Extending the time for pro bono counsel to file a notice of appearance from 02/21/2024 to 03/22/2024. Melina Brill ProTem Judge - Author
19.	6-Mar-2024	FILED: Notice of Appearance; Notice of Service (Petitioner)
20.	18-Mar-2024	FILED: Returned US Mail, Order Extending Tme to File Notice of Appearance dated 02/21/2024, addressed to Brandon Minga, Vacant. (Not Resent)
21.	25-Mar-2024	FILED: Notice of Change of Firm; Certificate of Service (Respondent Employer/Carrier)
22.	25-Mar-2024	ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Appointing Jessica M. Cotter of Jessica Cotter Law as pro bono counsel to represent petitioner for purposes of this appeal only. FURTHER ORDERED: Directing the clerk of the court to amend the record to reflect the above pro bono counsel of record. FURTHER ORDERED: Setting the following schedule for the briefing: the opening brief is due by 05/28/2024; the answering brief is due within 40 days after service of the opening brief; and the optional reply brief is due within 20 days after service of the answering brief. FURTHER ORDERED: That any request for oral argument must be filed in accordance with Arizona Rule of Civil Appellate Procedure 18. The court remains committed to allowing pro bono counsel to participate in oral argument and will generally grant such request. Melina Brill ProTem Judge - Author
23.	18-May-2024	FILED: Motion to Release the Restricted Documents to Counsel in this Matter Specifically: Index of Record, Claims File and ALJ Hearing; Notice of Service (Petitioner)
24.	20-May-2024	ORDERED: Motion to Release the Restricted Documents to Counsel in this Matter Specifically: Index of Record, Claims File and ALJ Hearing (Petitioner) = GRANTED/Petitioner or petitioner's counsel may access the documents in-person at the court with proper identification. Barbara Vidal Vaught ProTem Judge - Author
25.	22-May-2024	FILED: Motion to Extend the Deadling [sic] for the Opening Breif [sic]; Notice of Service (Petitioner)
26.	23-May-2024	ORDERED: Motion to Extend the Deadling = GRANTED. Due date EXTENDED from Tuesday, 05-28-2024 to Monday, 07-01-2024. If the brief is not timely filed the court will dismiss this special action. Barbara Vidal Vaught ProTem Judge - Author
27.	30-Jun-2024	FILED: Appellant's Opening Brief; Certificate (of Compliance); Proof of Service (Petitioner)
28.	8-Aug-2024	FILED: Motion and Joint Stipulation to Suspend Appeal and Revest Jurisdiction in ICA; Notice of Service (Petitioner)
29.	8-Aug-2024	ORDERED: Motion and Joint Stipulation to Suspend Appeal and Revest Jurisdiction in ICA (Petitioner) = staying this special action until 11/06/2024, and returning jurisdiction to the Industrial Commission of Arizona to allow it to consider the parties' settlement agreement. FURTHER ORDERED: Directing petitioner to file a motion to dismiss this special action if the Industrial Commission approves the settlement. FURTHER ORDERED: that if the Industrial Commission does not approve the settlement by 11/06/2024, the stay will be lifted automatically on 11/07/2024 and the answering brief will be due by 12/06/2024. Steven C Lawrence ProTem Judge - Author