

Court of Appeals, Division One

Special Action

1 CA-SA 25-0039

MARKETECH v. PROCESS SERVICE

Appellate Case Information

Case Filed: 24-Feb-2025

Case Closed:

Dept/Composition

Department C

Hon. Brian Y Furuya
Hon. Randall M Howe
Hon. Angela K Paton

Side 1. MARKETECH INTERNATIONAL CORPORATION USA, INC., Petitioner

(Litigant Group) MARKETECH

- Marketech International Corporation USA Inc

Attorneys for: Petitioner

Timothy J Berg, Esq. (AZ Bar No. 4170)
John R Jefferies, Esq. (AZ Bar No. 11542)
Stacy Porche, Esq. (AZ Bar No. 37193)
Kaitlyn Smith, Esq. (AZ Bar No. 37827)

Side 2. PROCESS SERVICE SPECIALISTS, L.L.C., Respondent

(Litigant Group) PROCESS SERVICE

- Process Service Specialists LLC

Co-Counsel for: Respondent

Michael J Holden, Esq. (AZ Bar No. 6361)
Ian Balitis, Esq. (AZ Bar No. 38565)
Neal J Sweeney, Esq. (TX Bar No. nealsweeney)
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Eric M Fraser, Esq. (AZ Bar No. 27241)
Alexandria Karpurk, Esq. (AZ Bar No. 37029)

CASE STATUS

Jan 2, 2026.....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2024-018710, Erik Thorson, Authoring Judge of Order

Table with 2 columns: DESCENDENT CASE(S), Cause/Charge/Class. Row 1: ASC, CV-25-0290-PR

CASE DECISION

23-Oct-2025 OPINION

Brian Furuya.....Author
Randall Howe.....Concur
Angela Paton.....Dissent

Filed: 23-Oct-2025 Mandate:

Table with 1 column: Decision Disposition. Row 1: Vacated, Remanded

36 PROCEEDING ENTRIES

- 1. 24-Feb-2025 FILED: Petition for Special Action; Certificate of Compliance; Contact Information Sheet (Petitioner)
2. 25-Feb-2025 FILED: Special Action Clerk Notice (Assigned to Dept C, Judges Furuya, Howe, Thumma)
3. 25-Feb-2025 FILED: Special Action Stay Hearing Scheduling Requirements
4. 25-Feb-2025 FILED: Memorandum: Judge Paton for Judge Thumma (Chief Judge Gass)
5. 25-Feb-2025 FILED: Request for Oral Argument; Certificate of Service (Petitioner)
6. 27-Feb-2025 ORDERED: respondent may file response by 3/21/25. FURTHER ORDERED: petitioner may file reply by 4/4/25. Hon Brian Y Furuya - Author
7. 28-Feb-2025 RECEIPT No.: 2025-00203 ; \$330.00, Authorization: # 59005591073, Applied to: MARKETECH - Class A Filing Fee (\$330.00) Paid for: Fennemore Craig PC - By nCourt, LLC
8. 4-Mar-2025 FILED: Motion to Stay Arbitration Pending Petition for Special Action; Certificate of Service (Petitioner)

Court of Appeals, Division One**Special Action****1 CA-SA 25-0039****MARKETECH v. PROCESS SERVICE****36 PROCEEDING ENTRIES**

9.	5-Mar-2025	FILED: Notice of Appearance; Certificate of Service (Respondent)
10.	5-Mar-2025	ORDERED: Motion to Stay Arbitration Pending Petition for Special Action (Petitioner) = DENIED as premature. Petitioner may refile request if and when superior court denies the request for stay. Hon Brian Y Furuya - Author
11.	11-Mar-2025	RECEIPT No.: 2025-00241 ; \$165.00, Authorization: #70009472955, Applied to: PROCESS SERVICE - Class B Filing Fee (\$165.00) Paid for: Osborn Maledon PA - By nCourt LLC
12.	21-Mar-2025	FILED: Request for Oral Argument; Certificate of Service (Respondent)
13.	21-Mar-2025	FILED: Response to Petition for Special Action; Certificate of Compliance; Certificate of Service (Respondent)
14.	4-Apr-2025	FILED: Amended Certificate of Service (Petitioner)
15.	4-Apr-2025	FILED: Reply to Response to Petition for Special Action; Certificate of Service; Certificate of Compliance (Petitioner)
16.	30-Apr-2025	ORDERED: Request for Oral Argument (Petitioner) = GRANTED and setting oral argument in this matter on Wednesday, 05/28/2025, at 10:30 a.m. before Department C, in Courtroom 2, State Courts Building, 1501 W. Washington St., Phoenix, AZ. Hon Brian Y Furuya - Author
17.	1-May-2025	FILED: Return Receipt for Notice of Oral Argument, signed by Timothy J. Berg on 04/30/2025 (Petitioner)
18.	6-May-2025	FILED: Return Receipt for Notice of Oral Argument, signed by Eric M. Fraser on 04/30/2025 (Respondent)
19.	14-May-2025	FILED: Notice of Supplemental Authority; Certificate of Service (Respondent)
20.	20-May-2025	FILED: Notice of Supplemental Authority; Certificate of Service (Petitioner)
21.	28-May-2025	FILED: Sign-in Sheet/Case is Under Advisement as of 05/28/2025
22.	15-Jul-2025	FILED: Second Motion to Stay Arbitration Pending Petition for Special Action; Certificate of Service (Petitioner)
23.	17-Jul-2025	FILED: Response to Petitioner's Second Motion to Stay Arbitration Pending Petition for Special Action; Certificate of Service (Respondent)
24.	17-Jul-2025	ORDERED: Second Motion to Stay Arbitration Pending Petition for Special Action (Petitioner) = GRANTED. Hon Brian Y Furuya - Author
25.	25-Jul-2025	FILED: Motion for Reconsideration; Certificate of Compliance; Certificate of Service (Respondent)
26.	23-Oct-2025	OPINION (Vacated, Remanded) Hon Brian Y Furuya - Author; Hon Randall M Howe - Concur; Hon Angela K Paton - Dissent
27.	23-Oct-2025	FILED: Decision Distribution Notification
28.	23-Oct-2025	ORDERED: Motion for Reconsideration (Respondent) = DENIED as moot. Hon Brian Y Furuya - Author
29.	31-Oct-2025	FILED: Statement of Cost; Certificate of Service (Petitioner)
30.	10-Nov-2025	FILED: Order from ASC filed 11/10/2025 re: Extending time for filing Petition for Review to 12/23/2025.
31.	18-Dec-2025	FILED: Order from ASC filed 12/18/2025 re: Granting Respondent's Motion to exceed the word count on the Petition for review, CONTINUED on 12/23/2025.
32.	2-Jan-2026	FILED: Email Notice from ASC re: Petition for Review filed 12/23/2025; request for partial record
33.	12-Jan-2026	FILED: Letter forwarding partial record to Arizona Supreme Court
34.	16-Jan-2026	ORDERED: Statement of Cost (Petitioner) = GRANTED/ Awarding costs in the amount of \$420.87 to Petitioner Marketech International Corporation and against Respondent Process Service Specialists. Hon Brian Y Furuya - Author
35.	27-Mar-2026	FILED: ASC Order filed re: Extending Time to File Response to Brief of Amici Curiae.
36.	29-Apr-2026	FILED: Notice of Withdrawal of Counsel Within Firm; Certificate of Service (Respondent)