

**Court of Appeals, Division One
Unemployment Board**

1 CA-UB 22-0286

HOUSER v. ADES/SPT

Appellate Case Information

Case Filed: 23-Sep-2022
Case Closed: 14-Aug-2024

Dismissal

Dept/Composition

Department D
Hon. Samuel A Thumma
Hon. Jennifer B Campbell
Hon. Michael J Brown

Side 1. TAYLOR HOUSER, Appellant

(Litigant Group) TAYLOR HOUSER

- Taylor Houser

Attorney for: Appellant

JoAnn Falgout, Esq. (AZ Bar No. 15052)

Side 2. ARIZONA DEPARTMENT OF ECONOMIC SECURITY, an Agency, and SPT-P-FORMER 7261910, Appellee

(Litigant Group) ARIZONA DEPARTMENT OF ECONOMIC SECURITY

- Arizona Department of Economic Security

Attorneys for: Appellee ADES

Jennifer R Blum, Esq. (AZ Bar No. 29716)

(Litigant Group) SPT-P-FORMER 7261910

- SPT-P-Former 7261910
- Liberty Mutual Group Inc

Attorneys for: Appellee SPT/Liberty

Kristy L Peters, Esq. (AZ Bar No. 24756)

Sarah K Watt, Esq. (AZ Bar No. 33292)

CASE STATUS

Aug 14, 2024....Case Closed

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
UAB	U-1805569-001-B				

CASE DECISION

14-Aug-2024 ORDER

ORDERED: Stipulation to Dismiss Appeal (Appellee) = GRANTED/lifting the stay issued 7/24/24. FURTHER ORDERED: granting the stipulation to dismiss the appeal with all parties to bear their own attorneys' fees and costs.

Filed: **14-Aug-2024** Mandate:

Decision Disposition
Dismissed

Samuel Thumma.....Author

45 PROCEEDING ENTRIES

- 23-Sep-2022 FILED: Record on Appeal/Application for Appeal to the Court of Appeals
- 19-Oct-2022 FILED: Appellate Clerk Notice Re: Benefits Application for Appeal - assigned to Dept. C, Judges Weinzweig, Howe, Williams
- 30-Nov-2022 ORDERED: Granting application for appeal [see order]. FURTHER ORDERED: Staying appeal pending determination regarding whether case should be assigned to Court's Pro Bono Program. FURTHER ORDERED: Vacating assignment of appeal to Department C. Hon David D Weinzweig - Author
- 20-Jan-2023 ORDERED: Placing appeal in Court's pro bono program [see Order]. FURTHER ORDERED: Any objection to appointment of pro bono counsel for appellant must be filed in writing by 01/30/2023. FURTHER ORDERED: Pro bono counsel must file notice of appearance by 03/01/2023. FURTHER ORDERED: Staying appeal pending further order of Court. FURTHER ORDERED: Directing Clerk of Court to send appellant Pro Bono Program Guide for Self-Represented Parties. Hon Kent E Cattani - Author
- 24-Feb-2023 ORDERED: Extending time for pro bono counsel to file notice of appearance from 03/01/2023 to 03/31/2023. Melina Brill ProTem Judge - Author
- 30-Mar-2023 FILED: Notice of Appearance; Certificate of Service (Appellant)

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7. 4-Apr-2023 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Appointing JoAnn Falgout as pro bono counsel to represent appellant for purposes of this appeal only. FURTHER ORDERED: Directing the clerk of the court to amend the record to reflect pro bono counsel. FURTHER ORDERED: Setting the following schedule for briefing: opening brief due 5/15/23; answering brief due within 40 days after service of opening brief; optional reply brief due within 20 days after service of answering brief. FURTHER ORDERED: Any request for oral argument must be filed in accordance with ARCAP 18. Melina Brill ProTem Judge - Author
8. 14-May-2023 FILED: Appellant's Motion for Procedural Order Extending Time to File Opening Brief (First Request) Expedited Ruling Requested; Certificate of Service (Appellant)
9. 15-May-2023 ORDERED: Appellant's Motion for Procedural Order Extending Time to File Opening Brief (First Request) Expedited Ruling Requested (Appellant) = GRANTED. Due date EXTENDED from Monday, 05-15-2023 to Wednesday, 06-14-2023. Barbara Vidal Vaught ProTem Judge - Author
10. 14-Jun-2023 FILED: Appellant Taylor Houser's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
11. 14-Jun-2023 FILED: Appellant's Request for Oral Argument; Certificate of Service (Appellant)
12. 25-Jul-2023 FILED: DES'S First Motion for Procedural Order Extending Time in Which to File Answering Brief; Certificate of Service for DES's First Motion for Procedural Order Extending Time in Which to File Answering Brief (Appellee DES)
13. 25-Jul-2023 ORDERED: DES'S First Motion for Procedural Order Extending Time in Which to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 07-31-2023 to Monday, 09-11-2023. Barbara Vidal Vaught ProTem Judge - Author
14. 31-Jul-2023 FILED: First Motion for Procedural Order for Extension of Time to File Answering Brief; Appellee Liberty Mutual Group Inc.'s Certificate [sic] of Service (Appellee SPT/Liberty)
15. 31-Jul-2023 FILED: Appellee Liberty Mutual Group Inc.'s Notice Of Appearance; Appellee Liberty Mutual Group Inc.'s Certificate Of Service (Appellee SPT/Liberty)
16. 1-Aug-2023 ORDERED: First Motion for Procedural Order for Extension of Time to File Answering Brief (Appellee SPT/Liberty) = GRANTED. Due date EXTENDED from Monday, 07-31-2023 to Monday, 09-11-2023. Barbara Vidal Vaught ProTem Judge - Author
17. 31-Aug-2023 FILED: Joint Motion for Procedural Order Extending Time in Which to File Answering Briefs and Reply Brief; Certificate of Service for Joint Motion for Procedural Order Extending Time in Which to File Answering Briefs and Reply Brief (Appellee ADES)
18. 1-Sep-2023 ORDERED: Joint Motion for Procedural Order Extending Time in Which to File Answering Briefs and Reply Brief (Appellee ADES) = GRANTED. Due date EXTENDED from Monday, 09-11-2023 to Monday, 09-25-2023. Barbara Vidal Vaught ProTem Judge - Author
19. 25-Sep-2023 FILED: Appellee Arizona Department of Economic Security's Answering Brief; Certificate of Compliance for Arizona Department of Economic Security's Answering Brief; Certificate of Service for Arizona Department of Economic Security's Answering Brief; Affidavit of Nicole Robinson (Appellee ADES)
20. 25-Sep-2023 FILED: Appellee Arizona Department of Economic Security's Amended Answering Brief; Certificate of Compliance for Appellee Arizona Department of Economic Security's Amended Answering Brief; Certificate of Service for Appellee Arizona Department of Economic Security's Amended Answering Brief; Affidavit of Nicole Robinson (Appellee ADES)
21. 25-Sep-2023 FILED: DES's Motion for Leave to File Amended Answering Brief; Certificate of Service for DES's Motion for Leave to File Amended Answering Brief (Appellee ADES)
22. 26-Sep-2023 ORDERED: DES's Motion for Leave to File Amended Answering Brief (Appellee) = GRANTED and accepting the amended answering brief filed on 9/25/23 in place of the answering brief filed on 9/25/23. The reply brief remains due 10/16/23. Barbara Vidal Vaught ProTem Judge - Author
23. 7-Oct-2023 FILED: Appellant's Motion for Procedural Order Extending Time to File Reply Brief; Certificate of Service (Appellant)
24. 11-Oct-2023 ORDERED: Appellant's Motion for Procedural Order Extending Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 10-16-2023 to Monday, 10-23-2023. Melina Brill ProTem Judge - Author
25. 23-Oct-2023 FILED: Appellant Taylor Houser's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
26. 15-Nov-2023 ORDERED: Appellant's Request for Oral Argument; Certificate of Service (Appellant) = GRANTED. David B Gass - Author
27. 24-Nov-2023 CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 1-31-24, 09:30 am, COURTROOM 2.
28. 27-Nov-2023 FILED: Notice of Oral Argument
29. 28-Nov-2023 FILED: Return Receipt Re Oral Argument, signed by JoAnn Falgout, on 11/27/23 (Appellant)

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30. 26-Jan-2024 FILED: Return Receipt Re Oral Argument, signed by Emily Stokes, on 11/27/23 (Appellee ADES)
31. 1-Feb-2024 FILED: Sign-in Sheet/Case is Under Advisement as of 1/31/24
32. 27-Feb-2024 ORDERED: Denying ADES's request for judicial notice. FURTHER ORDERED: Houser and ADES will be afforded an opportunity to provide supplemental briefing. FURTHER ORDERED: Any supplemental brief by Houser shall be filed no later than 3/28/24; any supplemental brief by ADES shall be filed no later than 4/29/24; any supplemental reply brief shall be filed no later than 5/14/24. Hon Samuel A Thumma - Author
33. 5-Mar-2024 FILED: ADES's Notice of Change of Counsel; ADES's Certificate of Service for Notice of Change of Counsel (Appellee ADES)
34. 25-Mar-2024 FILED: Appellant's Motion for Procedural Order Extending Time to File Supplemental Brief (First Extension Request) Expedited Ruling Requested; Certificate of Service (Appellant)
35. 26-Mar-2024 ORDERED: Appellant's supplemental briefing shall be filed no later than 4/29/24 and shall not exceed ten pages; any supplemental answering brief shall be filed no later than 5/29/24 and shall not exceed 10 pages; supplemental reply brief, if any, shall be filed no later than 6/13/24 and shall not exceed 10 pages. Hon Samuel A Thumma - Author
36. 22-Apr-2024 FILED: Joint Motion for Procedural Order Extending Time to File Supplemental Brief (Second Extension Request); ADES's Certificate of Service (Appellant)
37. 23-Apr-2024 ORDERED: Joint Motion for Procedural Order Extending Time to File Supplemental Brief (Second Extension Request) (Appellant) = GRANTED. Appellant's supplemental briefing shall be filed no later than 5/28/24 and shall not exceed ten pages; any supplemental answering brief ADES wishes to provide shall be filed no later than 6/28/24 and shall not exceed 10 pages; Appellant's supplemental reply brief, if any, shall be filed no later than 7/12/24 and shall not exceed five pages. Hon Samuel A Thumma - Author
38. 23-May-2024 FILED: Joint Motion for Stay of Proceedings (Motion for Procedural Order); Certificate of Service (Appellee)
39. 28-May-2024 ORDERED: Joint Motion for Stay of Proceedings (Motion for Procedural Order) (Appellee) = GRANTED. Hon Samuel A Thumma - Author
40. 27-Jun-2024 FILED: Joint Motion and Stipulation to Stay Appeal; Certificate of Service (Appellee ADES)
41. 24-Jul-2024 FILED: Joint Request for Order Revesting Jurisdiction in DES; ADES's Certificate of Service for Request for Order Revesting Jurisdiction in DES (Appellee ADES)
42. 24-Jul-2024 ORDERED: Joint Motion and Stipulation to Stay Appeal (Appellee ADES)/Joint Request for Order Revesting Jurisdiction in DES (Appellee ADES) = GRANTED/staying the appeal in this matter and revesting jurisdiction with the Department of Economic Security for 30 days. Hon Samuel A Thumma - Author
43. 14-Aug-2024 FILED: Stipulation to Dismiss Appeal; DES's Certificate of Service for Stipulation to Dismiss Appeal (Appellee)
44. 14-Aug-2024 ORDERED: Stipulation to Dismiss Appeal (Appellee) = GRANTED/lifting the stay issued 7/24/24. FURTHER ORDERED: granting the stipulation to dismiss the appeal with all parties to bear their own attorneys' fees and costs. Hon Samuel A Thumma - Author
45. 14-Aug-2024 FILED: Letter, 8/14/2024, Certified Copy of Order dismissing appeal. No physical record to be returned to clerk, ADES Appeals Board.