

**Arizona Supreme Court**  
**Civil Petition for Review - Appeal**

**CV-24-0213-PR**

**IVEY et al v CAPTIVA et al**

**Appellate Case Information**

Case Filed: 6-Sep-2024  
 Case Closed:

**Dept/Composition**

**Side 1. KENNETH IVEY AND CYNTHIA IVEY, husband and wife; KENNETH R. IVEY and CYNTHIA C. IVEY as Trustees of The Ivey Family Living Trust dated July 23, 2008, Plaintiff/Appellant**

**(Litigant Group) KENNETH IVEY AND CYNTHIA IVEY, husband and wife; KENNETH R. IVEY and CYNTHIA C. IVEY as Trustees of The Ivey Family Living Trust dated July 23, 2008**

- Kenneth Ivey
- Cynthia Ivey
- The Ivey Family Living Trust

**Attorneys for: Plaintiff/Appellant**  
 David L Abney, Esq. (AZ Bar No. 9001)

**Side 2. CAPTIVA INVESTMENTS III, LLC, an Arizona limited liability company; PHILLIP L. STEWART and KATHLEEN STEWART, Trustees of the Phillip and Kathleen Stewart Revocable Trust, Defendant/Appellee**

**(Litigant Group) CAPTIVA INVESTMENTS III, LLC, an Arizona limited liability company**

- Captiva Investments III LLC
- Phillip L Stewart
- Kathleen B Stewart
- Phillip and Kathleen Stewart Revocable Trust

**Attorneys for: Defendant/Appellee**  
 Robert C Kozak, Esq. (AZ Bar No. 6699)  
 William Pietragallo, II, Esq. (AZ Bar No. 016413)  
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**(Litigant Group) PHILLIP L. STEWART and KATHLEEN STEWART, Trustees of the Phillip and Kathleen Stewart Revocable Trust**

**Attorneys for: Defendant/Appellee**  
 Mark W Drutz, Esq. (AZ Bar No. 6772)  
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**CASE STATUS**

Sep 6, 2024.....Awaiting Petition for Review

Sep 6, 2024.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-CV 23-0636					
↵ YAV P1300CV201801126	Injunctive Relief Conversion		John David Napper, Authoring Judge of Order Comments: (none)		
↵ YAV P1300CV201901051			Comments: (none)		
↵ YAV P1300CV202000967			Comments: (none)		

**3 PROCEEDING ENTRIES**

- 6-Sep-2024 FILED: Motion for Procedural Order Extending Deadline for Filing the Petition for Review; Certificate of Service (Appellants Ivey, et al.)
- 9-Sep-2024 FILED: Defendants/Appellees Phillip L. Stewart and Kathleen B. Stewart and Phillip Stewart and Kathleen Stewart, Trustees of the Phillip and Kathleen Stewart Revocable Trust's Response to Motion for Procedural Order Extending Deadline for Filing the Petition for Review; Certificate of Service (Appellees Stewart, et al.)
- 10-Sep-2024 On September 6, 2024, Appellants Ivey, et al., filed a "Motion for Procedural Order Extending Deadline for Filing the Petition for Review." On September 9, 2024, Appellees Stewart, et al., filed a response in opposition to the extension of time. Upon consideration,  
  
IT IS ORDERED granting a first extension of time to file the petition for review on or before October 11, 2024. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by October 11, 2024. (Tracie K. Lindeman, Clerk)