

Arizona Supreme Court
Civil Petition for Review - Appeal

CV-25-0028-PR

ACCURSIO v TREE HOUSE et al

Appellate Case Information

Case Filed: 10-Feb-2025
Case Closed:

Dept/Composition
En Banc

Hon. Ann A. Scott Timmer
Hon. John R Lopez
Hon. Clint Bolick
Hon. James P Beene
Hon. William G Montgomery
Hon. Kathryn H. King
Hon. Maria Elena Cruz

Side 1. JOHN ACCURSIO, Plaintiff/Appellant

(Litigant Group) JOHN ACCURSIO

- John Accursio

Attorneys for: Plaintiff/Appellant

Kyle Anthony O'Dwyer, Esq. (AZ Bar No. 36095)

Side 2. TREE HOUSE LABS, LLC, et al., Defendant/Appellee

(Litigant Group) TREE HOUSE LABS, LLC, et al.

- Tree House Labs LLC
- 28 Gorilla LLC
- Christopher Townsend
- Andrew Phillips
- Steve Arnold
- Ana Lopez
- Peter L Lankisch
- Jordan Klosa
- James Sargent
- John T Cohen

Attorneys for: Defendant/Appellee

Craig T Irish, Esq. (AZ Bar No. 10016)

(Litigant Group) BB GROUP, LLC, et al.

- BB Group LLC
- Clark Wu
- Mukunda Shanbhag
AZ Bar No. 34754
[Current Member]
- Justin Brandt

Attorneys for: Defendant/Appellee

Jill J Ormond, Esq. (AZ Bar No. 24250)

CASE STATUS

Sep 18, 2025....Submitted

May 6, 2025.....At Issue

May 6, 2025.....Oral Argument Granted

Feb 10, 2025....Pending

PREDECESSOR CASE(S)

	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA	1 CA-CV 24-0298				
↳ MAR	CV2023-091725	Breach of Contract	Dewain D Fox, Authoring Judge of Order Comments: (none)		

17 PROCEEDING ENTRIES

- 10-Feb-2025 FILED: Defendants/Appellees BB Group, LLC, Justin Brant and Clark Wu's Petition for Review; Certificate of Service; Certificate of Compliance; Memorandum Decision (Appellees BB Group, et al.)
- 10-Feb-2025 FILED: Appendix; Certificate of Service (Appellees BB Group, et al.)
- 12-Feb-2025 FILED: Record from CofA: Electronic Record
- 19-Feb-2025 RECEIPT No.: 2025-00029 ; \$330.00, Authorization: 83380402617279280, Applied to: BB GROUP, LLC, et al. - Class A Filing Fee (\$330.00) Paid for: BB GROUP, LLC, et al. - By nCourt LLC
- 12-Mar-2025 FILED: Plaintiff/Appellant's Response to Petition for Review; Certificate of Service; Certificate of Compliance (Appellant Accursio)
- 19-Mar-2025 RECEIPT No.: 2025-00059 ; \$165.00, Authorization: 8477903876278054, Applied to: JOHN ACCURSIO - Class B Filing Fee (\$165.00) Paid for: JOHN ACCURSIO - By nCourt LLC

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17 PROCEEDING ENTRIES

7. 6-May-2025 ORDERED: Defendants/Appellees BB Group, LLC, Justin Brant and Clark Wu's Petition for Review = GRANTED as to the following rephrased issues:
 1. Under Ariz. R. Sup. Ct. 48(l) and 80(a)(6), can a claim for wrongful institution of civil proceedings be predicated, in whole or in part, on the filing of a bar charge or the statements therein?
 2. Under Ariz. R. Sup. Ct. 55 and 78, when does a civil proceeding commence?

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than May 27, 2025. Any amicus briefs are due on or before June 10, 2025 and any responses to amicus briefs are due on or before June 30, 2025. Any amicus briefs or responses may not exceed 20 pages in length.
8. 8-May-2025 FILED: Record From CofA: Entire Electronic Record
9. 27-May-2025 FILED: Supplemental Brief of Plaintiff/Appellant/Respondent John Accursio; Certificate of Service; Certificate of Compliance (Appellant Accursio)
10. 27-May-2025 FILED: Defendants/Appellees BB Group, LLC, Justin Brandt and Clark Wu's Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellees BB Group, et al.)
11. 28-May-2025 NOTICE OF ORAL ARGUMENT: Set for Thursday, September 18, 2025 at 9:30 A.M. [twenty (20) minutes per side]
12. 2-Jun-2025 FILED: Notice of Acknowledgment of Oral Argument (Daryl R. Wilson will argue) (Appellee)
13. 5-Jun-2025 FILED: Notice of Acknowledgment of Oral Argument (Kyle O'Dwyer will argue) (Appellant)
14. 2-Sep-2025 It has been brought to the court's attention there is a typographical error in the May 7, 2025 minute letter granting Defendant/Appellees BB Group, LLC, Justin Brant and Clark Wu's Petition for Review. Therefore, on the court's own motion

IT IS ORDERED amending the first sentence of rephrased issue 1 to substitute 48(l) with 48(l) (lower case "L"). It should read:

Under Ariz. R. Sup. Ct. 48(l) and 80(a)(6), can a claim for wrongful institution of civil proceedings be predicated, in whole or in part, on the filing of a bar charge or the statements therein?

The remainder of the minute order remains the same. Hon. Ann A. Scott Timmer)
15. 17-Sep-2025 FILED: Notice of Substitution of Counsel (Within Firm); Certificate of Service (Appellees BB Group, et al.)
16. 17-Sep-2025 FILED: Notice of Acknowledgment of Oral Argument (Jill Ormand will Argue) (Appellee)
17. 18-Sep-2025 ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Jill J. Ormond, Kyle Anthony O'Dwyer)