

Arizona Supreme Court
Civil Petition for Review - Appeal

CV-25-0119-PR

AROJOJOYE v ALLEN et al

Appellate Case Information

Case Filed: 6-May-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. Maria Elena Cruz
 Hon. John Pelander

Side 1. OYESIJI A. AROJOJOYE, M.D., Petitioner

(Litigant Group) OYESIJI A. AROJOJOYE, M.D.

- Oyesiji A Arojojoye

Attorneys for: Petitioner

Douglas R Cullins, Esq. (AZ Bar No. 22402)
 Eileen Dennis GilBride, Esq. (AZ Bar No. 9220)

Side 2. VICKIE ALLEN, Special Administrator of the Estate of CRYSTAL ALLEN, for and on behalf of the Decedent's estate; VICKIE ALLEN, herself as surviving mother and on behalf of all statutory beneficiaries, Respondent

(Litigant Group) VICKIE ALLEN, Special Administrator of the Estate of CRYSTAL ALLEN, for and on behalf of the Decedent's estate; VICKIE ALLEN, herself as surviving mother and on behalf of all statutory beneficiaries

- Vickie Allen

Attorneys for: Respondent

Jeffrey L Victor, Esq. (AZ Bar No. 13132)

Side 3. ARIZONA ASSOCIATION FOR JUSTICE/ARIZONA TRIAL LAWYERS, Amicus Curiae

(Litigant Group) ARIZONA ASSOCIATION FOR JUSTICE/ARIZONA TRIAL LAWYERS

- Arizona Association for Justice
- Arizona Trial Lawyers Association

Attorneys for: Amicus Curiae

Adam Studnicki, Esq. (AZ Bar No. 14062)

Side 4. ARIZONA MEDICAL ASSOCIATION, AMERICAN MEDICAL ASSOCIATION, AND PHOENIX CHILDREN'S HOSPITAL, Amicus Curiae

(Litigant Group) ARIZONA MEDICAL ASSOCIATION, AMERICAN MEDICAL ASSOCIATION, AND PHOENIX CHILDREN'S HOSPITAL

- Arizona Medical Association
- American Medical Association
- Phoenix Children's Hospital Inc

Attorneys for: Amicus Curiae

Kelley M Jancaitis, Esq. (AZ Bar No. 25555)

CASE STATUS

Dec 16, 2025....Submitted Oct 8, 2025.....At Issue
 Oct 7, 2025.....Oral Argument Granted May 6, 2025.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-SA 24-0270					
↳ MAR CV2020-055357			Michael D Gordon, Authoring Judge of Order Comments: (none)		

27 PROCEEDING ENTRIES

- 6-May-2025 FILED: Petitioner's Motion for Procedural Order for Extension of Time to File Petition for Review; Certificate of Service (Respondent Allen)
- 8-May-2025 A "Motion for Procedural Order for Extension of Time to File Petition for Review" (Respondent Allen) having been filed on May 6, 2025,

IT IS ORDERED granting a first extension of time to file the petition for review on or before June 9, 2025. 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 June 9, 2025. (Tracie K. Lindeman, Clerk)
- 6-Jun-2025 FILED: Respondent Vickie Allen's Petition for Review; Certificate of Service; Certificate of Compliance (Respondent Allen)
- 12-Jun-2025 RECEIPT No.: 2025-00174 ; \$330.00, Authorization: 8214628712256588, Applied to: VICKIE ALLEN, Special Administrator of the Estate - Class A Filing Fee (\$330.00) Paid for: VICKIE ALLEN, Special Administrator of the Estate of CRYSTAL ALLEN, for and on behalf of the Decedent's estate; VICKIE ALLEN, herself as surviving mother and on behalf of all statutory beneficiaries - By nCourt LLC
- 24-Jun-2025 FILED: Response to Petition for Review; Certificate of Service; Certificate of Compliance (Petitioner Arojojoye)
- 1-Jul-2025 RECEIPT No.: 2025-00186 ; \$165.00, Authorization: 8830481131053895, Applied to: OYESIJI A. AROJOJOYE, M.D. - Class B Filing Fee (\$165.00) Paid for: OYESIJI A. AROJOJOYE, M.D. - By nCourt LLC

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7. 9-Jun-2025 FILED: Record from CofA: Electronic Record
8. 15-Jul-2025 FILED: Amicus Curiae Brief of Arizona Association for Justice/Arizona Trial Lawyers Association; Certificate of Service; Certificate of Compliance (Amicus AZ Association for Justice)
9. 15-Jul-2025 FILED: Motion of the Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to file Amicus Curiae Brief; Certificate of Service (Amicus AZ Association for Justice)
10. 18-Jul-2025 A "Motion of the Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to file Amicus Curiae Brief" and the brief of amicus curiae having been filed on July 15, 2025. After consideration,

IT IS ORDERED the "Motion of the Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to file Amicus Curiae Brief" is granted. The brief shall be filed as of July 15, 2025. (Aaron C. Nash, Clerk)
11. 28-Jul-2025 FILED: Response to Amicus Curiae Brief of the Arizona Association for Justice/Arizona Trial Lawyers Association; Certificate of Service; Certificate of Compliance (Petitioner Arojojoye)
12. 8-Oct-2025 ORDERED: Respondent Vickie Allen's Petition for Review = GRANTED as to the following rephrased issue:

Did the court of appeals misapply A.R.S. § 12-2604 and this Court's decision in Baker v. University Physicians Healthcare, 231 Ariz. 379 (2013), in concluding that Plaintiff's medical malpractice expert was unqualified to provide expert testimony?

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 October 27, 2025. Any amicus briefs are due on or before November 10, 2025 and any responses to amicus briefs are due on or before December 1, 2025. Any amicus briefs or responses may not exceed 20 pages in length.

Justice King did not participate in the determination of this matter.
13. 8-Oct-2025 SENT: Letter to Counsel From Justice King
14. 10-Oct-2025 NOTICE OF ORAL ARGUMENT: Set for Tuesday, December 16, 2025, at 9:30 A.M. (20 minutes per side).
15. 13-Oct-2025 FILED: Notice of Acknowledgment of Oral Argument (Jeffrey L. Victor will argue) (Respondent Allen)
16. 14-Oct-2025 FILED: Notice of Acknowledgment of Oral Argument (Eileen Dennis Gilbride will argue) (Petitioner)
17. 22-Oct-2025 Justice Kathryn H. King is recused and will not participate in the above captioned matter. Therefore, pursuant to Article 6, Section 3 of the Arizona Constitution,

IT IS ORDERED that the Honorable John Pelander, Justice (Retired) of the Arizona Supreme Court is designated to sit on the case until it is finally determined. (Hon. Ann A. Scott Timmer)
18. 27-Oct-2025 FILED: Defendant Dr. Arojojoye's Supplemental Brief; Certificate of Service; Certificate of Compliance (Petitioner Arojojoye)
19. 27-Oct-2025 FILED: Record From CofA: Entire Remaining Electronic Record
20. 10-Nov-2025 FILED: Amicus Curiae Brief of Arizona Medical Association, American Medical Association, and Phoenix Children's Hospital, Inc.; Certificate of Service; Certificate of Compliance (Amicus Curiae)
21. 10-Nov-2025 FILED: Motion for Leave to File Amicus Curiae Brief of Arizona Medical Association, American Medical Association, and Phoenix Children's Hospital, Inc. (Amicus Curiae)
22. 10-Nov-2025 FILED: Amicus Curiae Supplemental Brief of Arizona Association for Justice/Arizona Trial Lawyers Association; Certificate of Service; Certificate of Compliance (Amicus Curiae)
23. 10-Nov-2025 FILED: Motion of the Amicus Curiae Supplemental Brief of Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to File Supplemental Amicus Curiae Brief; Certificate of Service (Amicus Curiae)
24. 14-Nov-2025 A "Motion for Leave to File Amicus Curiae Brief of Arizona Medical Association, American Medical Association, and Phoenix Children's Hospital, Inc.," (Amici Arizona Medical Association, et al.) and the brief of amicus curiae were filed on November 10, 2023. After consideration,

IT IS ORDERED the "Motion for Leave to File Amicus Curiae Brief of Arizona Medical Association, American Medical Association, and Phoenix Children's Hospital, Inc." is granted. The brief will be filed as of November 10, 2025. (Hon. Ann A. Scott Timmer)

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| 25. | 14-Nov-2025 | A "Motion of the Amicus Curiae Supplemental Brief of Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to File Supplemental Amicus Curiae Brief" (Amici Arizona Association for Justice/Arizona Trial Lawyers Association) and the brief of amici curiae were filed on November 10, 2025. After consideration,

IT IS ORDERED the "Motion of the Amicus Curiae Supplemental Brief of Arizona Association for Justice/Arizona Trial Lawyers Association for Leave to File Supplemental Amicus Curiae Brief" is granted. The brief will be filed as of November 10, 2025. (Hon. Ann A. Scott Timmer) |
| 26. | 1-Dec-2025 | FILED: Response to AAJ/ATLA's "Supplemental Amicus Brief"; Certificate of Service; Certificate of Compliance (Petitioner Arojojoye) |
| 27. | 16-Dec-2025 | ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Jeffrey L. Victor, Eileen Dennis Gilbride) |