

FILED BY CLERK

FEB 24 2023

COURT OF APPEALS
DIVISION TWO

COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

O R D E R

2 CA-CV 2022-0136
Department A
Cochise County
Cause No. CV202200518

RE: ARIZONA ALLIANCE FOR RETIRED AMERICANS, INC. v. ENGLISH; STEVENS; JUDD; CROSBY;
LISA MARA

The court having considered appellee's Motion to Dismiss Appeal Pursuant to Arizona Rule Civil Appellate Procedure 15(A) and Appellants' Response In Opposition to Appellees' Motion to Dismiss Appeal Or, In The Alternative, Motion For Leave To Extend the Deadline for the Opening Brief,

ORDERED: Given the procedural circumstances of this case, which included the docketing of the case before receipt of the record, this court entered an order on November 10, 2022, that addressed pending motions following a telephonic conference with the parties, served as this court's initial notice in compliance with Rule 12, Ariz. R. Civ. App. P., and, ordered the record to be transmitted no later than December 12, 2022, setting the time for filing the opening brief from that date;

FURTHER ORDERED: Based on the contemplated filing of the record on appeal on December 12, 2022, this court determined the opening brief was due on February 13, 2023, so stating on its docket;

FURTHER ORDERED: Notwithstanding the filing of the record on December 8, 2022, based on the due date stated on this court's docket, the opening brief was timely filed on February 13, 2023, and the motion to dismiss this appeal is denied;

FURTHER ORDERED: Even assuming that the brief was not timely filed in light of this court's November 10, 2022 order and the filing of the record on appeal on December 8, 2022, rather than December 12, 2022, appellant's alternative request to extend the time for filing the opening brief is granted, the brief is therefore timely filed.

DATED: February 24, 2023

Sean E. Brearcliffe
Presiding Judge

2 CA-CV 2022-0136
Cochise County Superior Court Number CV202200518

Copies to:

Alexander Kolodin
Davillier Law Group, LLC
4105 North 20th St
Suite 110
Phoenix, AZ 85016

Daniel A. Arellano
Herrera Arellano LLP
530 E McDowell Rd
Ste 107-150
Phoenix, AZ 85004

Jillian Andrews
Herrera Arellano LLP
1001 North Central Avenue
Suite 404
Phoenix, AZ 85004

Austin Marshall
Herrera Arellano LLP
1001 N Central Ave
Suite 404
Phoenix, AZ 85004

Mollie DiBrell
633 Ellen Wilson Pl SE
Washington, DC 20003

Veronica Lucero
Davillier Law Group, LLC
4105 N 20th St, Suite 110
Phoenix, AZ 85016

D. Andrew Gaona
Coppersmith Brockelman PLC
2800 N. Central Avenue
Suite 1200
Phoenix, AZ 85004

Sambo Dul
Perkins Coie LLP
2901 N. Central Avenue, Suite 2000
Phoenix, AZ 85012

Christina Estes-Werther
Pierce Coleman, PLLC
7730 E Greenway Rd
Suite 105
Scottsdale, AZ 85260

RETRIEVED FROM DEMOCRACYDOCKET.COM

2 CA-CV 2022-0136
Cochise County Superior Court Number CV202200518

Copies to:

Aaron Arnson
Pierce Coleman PLLC
7730 E. Greenway Rd. Ste. 105
Scottsdale, AZ 85260

Trish Stuhan
Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
501 East Thomas Road
Phoenix, AZ 85012

Craig A. Morgan
STINSON LEONARD STREET LLP
1850 N. Central Ave., Ste. 2100
Phoenix, AZ 85004-4584

Shayna Stuart
Sherman & Howard LLC
2555 E Camelback Road
Suite 1050
Phoenix, AZ 85016

Jake Rapp
Sherman & Howard LLC
2555 E Camelback Road
Suite 1050
Phoenix, AZ 85016

Hon. Casey F. McGinley
Judge
Pima County Superior Court
110 W. Congress
Tucson, AZ 85701

Amy Hunley
Clerk of the Court
Cochise County Superior Court
P.O. Drawer CK
Bisbee, AZ 85603

RETRIEVED FROM DEMOCRACYDOCKET.COM