Arizona Supreme Court

Civil Petition for Review - Appeal

CV-25-0143-PR — BURKETT v DRYJA et al

Appellate Case Information

Case Filed: 28-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. Kathryn H. King
Hon. Maria Elena Cruz

Side 1. STEPHANIE BURKETT, AS TRUSTEE OF THE STEPHANIE RAE BURKETT REVOCABLE TRUST DATED JANUARY 28, 2011, Plaintiff/Appellee

(Litigant Group) STEPHANIE BURKETT, AS TRUSTEE OF THE STEPHANIE RAE BURKETT REVOCABLE TRUST DATED JANUARY 28, 2011

- **Stephanie Burkett**

Attorneys for: Plaintiff/Appellee

Evan L Thompson, Esq. (AZ Bar No. 17064)

Alan R. Hill, Esq. (AZ Bar No. alanhill)

Side 2. JOHN AND ANITA DRYJA, HUSBAND AND WIFE, Defendant/Appellant

(Litigant Group) JOHN AND ANITA DRYJA, HUSBAND AND WIFE

- **John Dryja**
- **Anita Dryja**

Attorneys for: Defendant/Appellant

Brian A Laird, Esq. (AZ Bar No. 20541)

CASE STATUS

Oct 28, 2026....Decision Rendered

Nov 4, 2025.....**Oral Argument Granted**

May 28, 2025...Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
2 CA	2 CA-CV 24-0291				
PIM	C20224152		Wayne E Yehling, Judge on PC Comments: (none)		

CASE DECISION

28-Oct-2026 **OPINION**

* We vacate the court of appeals' opinion. We reverse the portion of the superior court's judgment denying the Dryjas' request for attorney fees under § 10.3, and we remand to the superior court to determine the reasonable attorney fees to which the Dryj

Filed: **28-Oct-2026** Mandate:

Decision Disposition

CofA Vacated
Reversed in Part
Remanded

William Montgomery.....Author
Ann Timmer.....Concur
John Lopez.....Concur
Clint Bolick.....Concur
James Beene.....Concur
Kathryn King.....Concur
Maria Cruz.....Concur

13 PROCEEDING ENTRIES

1.	28-May-2025	FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Opinion (Appellants Dryja, et al.)
2.	28-May-2025	FILED: Appendix; Certificate of Service (Appellants Dryja, et al.)
3.	30-May-2025	FILED: Record From CofA: Link to Electronic Record
4.	4-Jun-2025	RECEIPT No.: 2025-00163 ; $330.00, Authorization: 8390488470650977, Applied to: JOHN AND ANITA DRYJA, HUSBAND AND WIFE - Class A Filing Fee ($330.00) Paid for: JOHN AND ANITA DRYJA, HUSBAND AND WIFE - By nCourt LLC

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13 PROCEEDING ENTRIES

5.	4-Nov-2025	ORDERED: Petition for Review = GRANTED. 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 November 24, 2025. Any amicus briefs are due on or before December 9, 2025, and any responses to amicus briefs are due on or before December 29, 2025. Any amicus briefs or responses may not exceed 20 pages in length. FURTHER ORDERED: Request for Attorneys' Fees and Costs (Appellants Dryja, et al.) = CONTINUED.
6.	18-Nov-2025	NOTICE OF ORAL ARGUMENT: Set for Thursday, January 15, 2026 at 10:15 A.M. (20 minutes per side)
7.	14-Nov-2025	FILED: Record from Court of Appeals, Division 2 1 Medium Brown Box
8.	19-Nov-2025	FILED: Notice of Acknowledgment of Oral Argument (Brian A. Laird will argue); Certificate of Service (Appellant Dryja)
9.	19-Nov-2025	FILED: Notice of Acknowledgment of Oral Argument (Alan R. Hill will argue) (Appellee Burkett)
10.	19-Nov-2025	FILED: (2nd version) Notice of Acknowledgment of Oral Argument (Alan R. Hill will argue) (Appellee Burkett)
11.	24-Nov-2025	FILED: Supplemental Brief of Plaintiff/Appellee Stephanie Burkett; Certificate of Service; Certificate of Compliance (Appellee Burkett)
12.	15-Jan-2026	ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Brian A. Laird, Alan R. Hill)
13.	28-Oct-2026	OPINION - We vacate the court of appeals' opinion. We reverse the portion of the superior court's judgment denying the Dryjas' request for attorney fees under § 10.3, and we remand to the superior court to determine the reasonable attorney fees to which the Dryjas are entitled. (Hon William G. Montgomery - Author; Hon. Ann A. Scott Timmer - Concur; Hon. John R. Lopez IV - Concur; Hon. Clint Bolick - Concur; Hon James P. Beene - Concur; Hon. Kathryn H. King - Concur; Hon Maria Elena Cruz - Concur)

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