



DIVISION ONE
 FILED: 01/31/2023
 AMY M. WOOD,
 CLERK
 BY: DN



Court of Appeals

AMY M. WOOD
 CLERK OF THE COURT

STATE OF ARIZONA
 DIVISION ONE
 STATE COURTS BUILDING
 1501 WEST WASHINGTON STREET
 PHOENIX, ARIZONA 85007

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FILED - 06 FEBRUARY 2023
 Navajo County Superior Court
 Deanne M. Romo, Clerk

January 31, 2023

GORDON GROSS and LILIANA GROSS,) Court of Appeals
 husband and wife; 854 PINE CREEK,) Division One
 LLC, an Arizona limited) No. 1 CA-CV 23-0053
 liability company; BALD EAGLE)
 RETREAT, LLC, and Arizona) Navajo County
 limited liability company; 1501) Superior Court
 RAINBOW VIEW, LLC, an Arizona) No. S0900CV202200042
 limited liability company;)
 LAKESIDE FAMILY INVESTMENTS, LLC,)
 an Arizona limited liability)
 company; STEVEN A. KERNAGIS and)
 SANDRA K. KERNAGIS, trustees of)
 the STEVEN and SANDRA KERNAGIS)
 TRUST DATED MARCH 17, 2014;)
 THOMAS P. ZEHRING and JEANNETTE)
 ROSE ZEHRING, trustees of the)
 ZEHRING LIVING TRUST DATED MARCH)
 1, 2001; and JEANNETTE ZEHRING;)
 RONALD D. KEYER, JR. and DESIREE)
 KYER, husband and wife)
)
 Plaintiffs/Appellees/)
 Cross-Appellants,)
)
 v.)
)
 THE SHORES AT RAINBOW LAKE)
 COMMUNITY ASSOCIATION, an Arizona)
 nonprofit corporation,)
)
 Defendants/Appellants/)
 Cross-Appellees.)
)

APPELLATE CLERK NOTICE

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John R Cunningham, Jennings Haug Keleher McLeod LLP
James L Csontos, Jennings Haug Keleher McLeod LLP
Attorneys for: Defendants/Appellants/Cross-Appellees

The index of record from the Superior Court was filed on January 30, 2023. Documents filed with the Superior Court on or after this date will be requested by the Court of Appeals after one of the following occurs: filing of the Reply Brief, or expiration of the due date for the Reply Brief, or the issuance of an order submitting this matter for decision. The case has been assigned the above number in the Court of Appeals, Division One, Phoenix.

Appellant's filing fee of \$280.00 is due on or before February 14, 2023. If the filing fee is not paid within the time provided, this appeal will be abandoned in accordance with the provisions of A.R.S. § 12-322(A) and Arizona Rules of Civil Appellate Procedure 12(e)(2).

Pursuant to Arizona Rules of Civil Appellate Procedure (ARCAP) Rule 11, parties are responsible for ordering any necessary transcripts that were not previously filed as part of the official record.

Pursuant to ARCAP Rule 11.1(d), parties are then responsible for filing any transcripts they have ordered with the Court of Appeals, as well as serving other parties involved in the case, within 5 days of receipt.

Arizona Rule of Civil Appellate Procedure 12(d) requires appellant to file a Case Management Statement by February 21, 2023. This form may be found at:

<https://www.azcourts.gov/coal/Filer-Information/Case-Management-Statement>

Appellant's opening brief is due on April 3, 2023.

AMY M. WOOD, CLERK
By

dtn
Deputy Clerk

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A copy of the foregoing notice was sent
January 31, 2023, to:

Stockton D Banfield, Dyer Bregman & Ferris PLLC
Rick K Carter, Wong Carter PC
Matthew Klopp, Wong Carter PC
Joseph R Rainey, Wong Carter PC
Co-Counsel for: Plaintiffs/Appellees/Cross-Appellants

Hon Deanne Romo

Pursuant to A.O.s [2020-02](#) and [2020-03](#), the court expects briefs to be filed timely and will only grant motions for extension of time for good cause. Absent an order granting an extension of time, briefs will be deemed untimely if they are not filed by the due date.

If you plan to request an extension of time, please review the Court's [policy](#) prior to submitting your request. Motions requesting extensions should be filed well in advance of the due date so they can be processed prior to the due date. The court will not provide short-term extensions solely to consider a motion for extension of time.

The Court of Appeals, Division One offers subscription lists to receive emails regarding new opinions and informational news items. Interested persons can text "COALINFO" to 22828 to sign up for both opinions and news. Individuals wishing to receive only opinions or only news may visit the website: <http://www.azcourts.gov/coal/> and click on "subscribe".