



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

Phone: (602) 452-6700
Fax: (602) 452-3226

June 30, 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 23-0394
liability company; BALD EAGLE)	
RETREAT, LLC, an Arizona limited)	Navajo County
liability company; 1501 RAINBOW)	Superior Court
VIEW LLC, an Arizona limited)	No. S0900CV202200042
liability; 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;)	
RONDALD D. KYER, JR. and)	
DESIREEE KYER, husband and wife)	
)	
Plaintiffs/Appellees,)	
)	
v.)	
)	
THE SHORES AT RAINBOW LAKE)	
COMMUNITY ASSOCIATION,)	
)	
Defendant/Appellant.)	
)	

APPELLATE CLERK NOTICE

John R Cunningham, Jennings Haug Keleher McLeod LLP
James L Csontos, Jennings Haug Keleher McLeod LLP

Attorneys for: Defendant/Appellant

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The index of record from the Superior Court was filed on June 29, 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 July 17, 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 July 20, 2023. This form may be found at: <https://www.azcourts.gov/coal/Filer-Information/Case-Management-Statement>

Appellant's opening brief is due on August 29, 2023.

AMY M. WOOD, CLERK

By

 dtn

Deputy Clerk

A copy of the foregoing notice was sent
June 30, 2023, to:

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

Deanne Romo, Navajo County Superior Court

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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".