

No. 20-288

IN THE
SUPREME COURT OF THE UNITED STATES

ALCR, LLC,

Petitioner,

vs.

Linda W. Swain and Eileen R. Breslin,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE ARIZONA SUPREME COURT

APPENDIX TO RESPONSE TO PETITION FOR A WRIT OF CERTIORARI

Timothy Hutchins Barnes
Timothy H. Barnes, P.C.
428 East Thunderbird Road, #150
Phoenix, Arizona 85022
(602) 790-3992

Counsel of Record for Respondents

TABLE OF CONTENTS

	Page
Appendix A (Notice of Appeal by Bixby Village Golf Course, Inc., Hiro Investment, LLC, Nectar Investment, LLC, Kwang Co., LLC Ahwatukee Golf Properties LLC)	1
Appendix B (Notice of Appeal by TTLC Ahwatukee Lakes Investors, LLC)	2

1 Daniel D. Maynard, No. 009211
2 dmaynard@mmcec.com
3 Douglas C. Erickson, No. 017502
4 derickson@mmcec.com
5 **MAYNARD CRONIN ERICKSON**
6 **CURRAN & REITER, P.L.C.**
7 3200 North Central Avenue, Suite 1800
8 Phoenix, Arizona 85012
9 (602) 279-8500
10 Attorneys for Defendants

11 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

12 **IN AND FOR THE COUNTY OF MARICOPA**

13 Linda W. Swain, an individual; and Eileen R.
14 Breslin, an individual,

15 No. CV2014-051035

16 Plaintiffs,

17 **NOTICE OF APPEAL**

18 v.

19 TTLC Ahwatukee Lakes Investors, LLC, an
20 Arizona limited liability company,

Defendants.

21 Defendants/Counterplaintiffs Bixby Village Golf Course, Inc. ("Bixby"), Hiro
22 Investment, LLC ("Hiro"), Nectar Investment, LLC ("Nectar"), and Kwang Co., LLC
23 ("Kwang"), Ahwatukee Golf Properties, LLC ("AGP") (collectively referred to as "Former
24 Defendants") hereby file this notice of appeal to the Arizona Court of Appeals, Division One,
25 from the superior court's ruling and judgment of May 31, 2018 as to the Judgment entered
26 against them.

RESPECTFULLY SUBMITTED this 11th day of June, 2018.

MAYNARD CRONIN ERICKSON
CURRAN & REITER, P.L.C.

27 By /s/Daniel D. Maynard

28 Daniel D. Maynard
29 Douglas C. Erickson
30 3200 North Central Avenue, Ste. 1800
31 Phoenix, Arizona 85012
32 Attorneys for Former Defendants

1 **ORIGINAL** of the foregoing e-filed this 11th day of June, 2018, to:

2 Clerk of the Court
3 Maricopa County Superior Court
4 Northeast Regional Center (NE)
5 18380 N. 40th Street
6 Phoenix, AZ 85032

7 **COPY** of the foregoing electronically delivered this 11th day of June, 2018, to:

8 Honorable John Hannah
9 Maricopa County Superior Court
10 Northeast Regional Center (NE)
11 18380 N. 40th Street
12 Phoenix, AZ 85032

13 **COPY** of the foregoing e-mailed this 11th day of June, 2018, to:

14 Timothy H. Barnes
15 428 E. Thunderbird Road, #150
16 Phoenix, AZ 85022
17 Attorneys for Plaintiffs

18 Chris R. Baniszewski
19 Warner, Angle, Hallam, Jackson, & Formanek, PLC
20 2555 E. Camelback Road, Suite 800
21 Phoenix, AZ 85016

22 By /s/Stacey McClellan
23
24
25
26

1 Chris R. Baniszewski – State Bar #015617
2 **WARNER ANGLE HALLAM**
3 **JACKSON & FORMANEK PLC**
4 2555 E. Camelback Road, Suite 800
5 Phoenix, Arizona 85016
6 Telephone: (602) 264-7101
cbaniszewski@warnerangle.com
7 Attorneys for Defendant

8

9

10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
11 **IN AND FOR THE COUNTY OF MARICOPA**

12 LINDA W. SWAIN, an individual; and
13 EILEEN T. BRESLIN, an individual,

14 No. CV2014-051035

15 Plaintiffs,

16 vs.

17 TTLC AHWATUKEE LAKES
18 INVESTORS, LLC, an Arizona limited
19 liability company,

20 **NOTICE OF APPEAL**

21 Defendant.

22 TTLC AHWATUKEE LAKES
23 INVESTORS, LLC,

24 Counterclaimant,

25 vs.

26 LINDA W. SWAIN and EILEEN T.
27 BRESLIN,

28 Counterdefendants.

29
30 Defendant/Counterclaimant TTLC Ahwatukee Lakes Investors, LLC (“TTLC”)
31 hereby files this Notice of Appeal to the Arizona Court of Appeals, Division One, from
32 the Superior Court’s ruling and judgment of May 31, 2018 as to all aspects of the
33 Judgment entered against it.

1 DATED this 12th day of June, 2018.
2

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**WARNER ANGLE HALLAM
JACKSON & FORMANEK PLC**

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By /s/ Chris R. Baniszewski
Chris R. Baniszewski, Esq.
Attorneys for TTLC Ahwatukee
Lakes Investors, LLC

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORIGINAL of the foregoing e-filed
this 12th day of June, 2018, with:

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Clerk of the Court
Maricopa County Superior Court
Northeast Regional Center (NE)
18380 N. 40th Street
Phoenix, AZ 85032

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COPY of the foregoing mailed this
12th day of June, 2018, to:

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Timothy H. Barnes
428 E. Thunderbird Road, #150
Phoenix, AZ 85022
Attorneys for Plaintiffs

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Daniel D. Maynard
Douglas C. Erickson
Maynard Cronin Erickson
Curran & Reiter, PLC
3200 n. Central Ave., Suite 1800
Phoenix, Arizona 85012
Attorneys for Defendants

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By /s/Luci Roff