

Docket Content Info

New Search

Case Number 06-877 filed at this court on 08/07/2006

Case Category: Law

Case Caption:

BEVERLY ENTERPRISES-ARKANSAS, INC.
BATESVILLE NURSING & REHABILITATION
V

ANNETTE THOMAS
THE ESTATE OF HELEN COOK

Beverly Enterprises-Arkansas, Inc. (ACTIVE) Appellant's counsel:

Marvin Samuel Jones III - LEAD

Rex M. Terry - LEAD

Paul D. McNeill - LEAD

Jess Askew III - LEAD

Batesville Nursing & Rehabilitation (ACTIVE) Appellant's counsel:

Annette Thomas (ACTIVE) Appellee's counsel:

Alfred Francis Thompson III - LEAD

Callis L. Childs - LEAD

J. Scott Davidson - LEAD

Philip Bohrer - LEAD

Scott E Brady - LEAD

The Estate of Helen Cook (ACTIVE) Appellee's counsel:

Trial Court: Independence

Independence Circuit

Trial Court Number: CV-05-143-2

Trial Judge: John Norman Harkey

----- EVENT LISTING -----

07/10/2007 Mandate to Clerk

06/21/2007 Brief Costs on Appeal = Aple \$294.00 - Annett

Appellee's Attorney - Alfred Francis Thompson III

06/21/2007 Majority Opinion Rendered

ACTION = Affirmed

Opinion Date - 06/21/07 Consist of 0 pages,

Cite Number - Publish - yes

Robert Laidlaw Brown -- WRITING

Affirmed.

06/21/2007 Opinion Panel
Robert Laidlaw Brown -- WRITING

06/14/2007 Case Submitted - Orally Argued
Submitted to the court on - 06/14/07

06/14/2007 Supreme Court Oral Argument Issued for
REGULAR DOCKET scheduled for 06/14/07 at A.M. - ORAL Argument.

06/14/2007 Supreme Court Votesheet Issued

02/16/2007 Out of State Attorney Requirments Met
Attorney - Scott Brady

02/16/2007 Out of State Attorney Requirements Met
Attorney - Philip Bohrer

12/12/2006 Brief Filed Timely - Annette Thomas
Appellee's Attorney - Alfred Francis Thompson III

12/12/2006 Checklist for Appellee Briefs - Annette Thoma
Appellee's Attorney - Brett David Watson
APPELLEE BRIEFS
TABLE OF CONTENTS
POINTS ON APPEAL
TABLE OF AUTHORITIES
SUPPLEMENTAL ABSTRACT (IF ANY)
STATEMENT OF THE CASE - FIVE PAGES (IF ANY)
ARGUMENT - 25 PAGES
SUPPLEMENTAL ADDENDUM INDEX (IF ANY)
SUPPLEMENTAL ADDENDUM (IF ANY)

12/07/2006 Letter Orders - Supreme Court
Submitted to the court on - 11/30/06
Appellee's Attorney - Alfred Francis Thompson III

11/30/2006 Reply Brief Filed Beverly Enterprises-Arkans
Appellant's Attorney - Marvin Samuel Jones III
SEALED

11/30/2006 Checklist for Reply Briefs - Beverly Enterpri
Appellant's Attorney - Marvin Samuel Jones III
REPLY BRIEFS
1. TABLE OF CONTENTS
2. TABLE OF AUTHORITIES (IF ANY)
3. ARGUMENT - 15 PAGES

11/30/2006 Request for Oral Argument - Batesville Nursin
Action = GRANTED on 01/02/07
Appellant's Attorney - Jess Askew III

11/30/2006 Request for Oral Argument - Beverly Enterpris
Action = awaiting action
Appellant's Attorney - Jess Askew III

11/22/2006 7 Day Reply Brief Extension - Beverly Enterpr
This event was tickled for 11/30/06
Action = GRANTED on 11/22/06
Appellant's Attorney - Jess Askew III

11/16/2006 Motion to Correct Brief - Annette Thomas
Submitted to the court on - 11/30/06
Action = GRANTED on 12/07/06
Appellee's Attorney - Alfred Francis Thompson III
Appellee's motion to correct brief is granted.
Corrected brief due by December 14, 2006.

11/08/2006 Brief Filed Timely - Annette Thomas
Appellee's Attorney - Alfred Francis Thompson III

11/08/2006 Checklist for Appellee Briefs - Annette Thoma
Appellee's Attorney - J. Scott Davidson
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SUPPLEMENTAL ABSTRACT (IF ANY)
STATEMENT OF THE CASE - FIVE PAGES (IF ANY)
ARGUMENT - 25 PAGES
SUPPLEMENTAL ADDENDUM INDEX (IF ANY)
SUPPLEMENTAL ADDENDUM (IF ANY)

10/26/2006 Letter Orders - Supreme Court
Submitted to the court on - 10/12/06
Appellee's Attorney - J. Scott Davidson

10/26/2006 Record Checkout by Atty. of Record - Annette Th a
Appellee's Attorney - J. Scott Davidson
Number of Volumes 1
Number of Sets 0
Transcript Cost 0.00

10/25/2006 7 Day Brief Extension - Annette Thomas
This event was tickled for 11/08/06
The event was complied with on 11/08/06
Action = GRANTED on 10/25/06

10/25/2006 7 Day Brief Extension - The Estate of Helen C
This event was tickled for 11/08/06
Action = GRANTED on 10/25/06

10/05/2006 Motion to Check Out the Sealed Record - Annet

Submitted to the court on - 10/12/06
Action = GRANTED on 10/26/06
Appellee's Attorney - J. Scott Davidson
Appellee's motion to check out the sealed record is granted.

10/05/2006 Case assumed by Supreme Court
Significant public interest.

10/02/2006 Briefing Commenced - The Estate of Helen Cook
This event was tickled for 11/01/06

10/02/2006 Briefing Commenced - Annette Thomas
This event was tickled for 11/01/06

10/02/2006 Brief Filed Timely - Beverly Enterprises-Ark
Appellant's Attorney - Jess Askew III

10/02/2006 Checklist for Appellant's Briefs - Beverly En
Appellant's Attorney - Marvin Samuel Jones III

REQUIREMENTS:

17 COPIES OF THE BRIEF

12 PICTH OR LARGER FONT SIZE

TEXT IS DOUBLE-SPACED

1 INCH MARGINS ON THE TOP, BOTTOM, & RIGHT MARGI

EACH MAJOR SECTION BEGINS WITH PAGE 1

CONTENTS:

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A. PAGE NUMBER REFERENCES TO EACH MAJOR SECTIO

B. PG REF TO THE ABS WHERE EACH WIT BEGIN TSMY

INFORMATION/JURIDICIONAL STATEMENT

POINTS ON APPEAL

TABLE OF AUTHORITIES

ABSTRACT

A. FIRST PERSON NARRATIVE

B. PAGE REFERENCES TO RECORD

STATEMENT OF THE CASE

A. FIVE PAGES OR LESS

B. PAGE REFERENCES TO THE ABSTRACT & ADDENDUM

ARGUMENT

A. TWENTY-FIVE PAGES OR LESS

B. PAGE REFERENCES TO THE ABSTRACT & ADDENDUM

C. SIGNATURE AND CERTIFICATE OF SERVICE

ADDENDUM

A. INDEX WITH PAGE REFERENCES TO THE RECORD

B. JUDGMENT/ORD/DECREE APPEALED FROM INCLUDED

C. NOTICE OF APPEAL INCLUDED

CIVIL CASE

09/20/2006 Record Checkout by Atty. of Record - Beverly E e
Appellant's Attorney - Brett David Watson

Number of Volumes 6
Number of Sets 0
Transcript Cost 0.00

09/20/2006 Appellant's Brief due 10/2/06

09/20/2006 Letter Orders - Court of Appeals
Submitted to the court on - 09/13/06
Appellee's Attorney - J. Scott Davidson

09/20/2006 Letter Orders - Court of Appeals
Submitted to the court on - 09/13/06
Appellant's Attorney - Marvin Samuel Jones III

09/15/2006 Response to Motion to Supplement the Record -
Appellee's Attorney - J. Scott Davidson

09/08/2006 Supplement to Motion to Supplement the Record
Submitted to the court on - 09/13/06
Action = awaiting action
Appellant's Attorney - Brett David Watson
Supplement tendered

09/07/2006 Motion to Check Out Sealed Record/Brief Time
Submitted to the court on - 09/13/06
Action = GRANTED on 09/20/06
Appellant's Attorney - Marvin Samuel Jones III
Appellant's motion for sealed record and for brief time is
granted. See Johnson v. State, 335 Ark. 333, 982 S.W.2d
669 (1998). Hart, J., not participating. Appellant's
brief due October 2, 2006.

09/07/2006 Supplemental Record Tendered
Supplemental record placed in front of case file.

09/07/2006 Motion to Supplement the Record - Beverly Ent
Submitted to the court on - 09/13/06
Action = DENIED on 09/20/06
Appellant's Attorney - Marvin Samuel Jones III
Appellant's motion to supplement the record is denied.
Hart, J., not participating.

09/05/2006 Supplemental Record Tendered
(Nunc Pro Tunc Judgment on Class Certification dated August
24, 2006.)
Placed in front of file

09/05/2006 Motion to Supplement the Record - Annette Tho
Submitted to the court on - 09/13/06
Action = GRANTED on 09/20/06
Appellee's Attorney - J. Scott Davidson

Appellee's motion to supplement the record is granted. Griffen and Crabtree, JJ., would remand to the trial court to settle the record. Hart, J., not participating. Record deemed supplemented with Nunc Pro Tunc Judgment on Class Certification filed August 30, 2006 and placed in front of Volume I of Record.

08/31/2006 Record Checkout by Atty. of Record
Attorney - Brett David Watson
Number of Volumes 0
Number of Sets 0
Transcript Cost 0.00
8 Vol Sealed Record

08/30/2006 Formal Orders - Court of Appeals
Submitted to the court on - 08/23/06
Appellee's Attorney - J. Scott Davidson

08/29/2006 Letter to Attorney
Rec'd original order from Judge Harkey - sent back to attorney for filing with the circuit clerk and for motion to supplement the record

08/25/2006 Response to Motion for Expedited Appeal - Bev
Appellant's Attorney - Brett David Watson

08/17/2006 Motion to Expedite Appeal - Beverly Enterpris
Submitted to the court on - 08/23/06
Action = DENIED on 08/30/06
Appellee's Attorney - J. Scott Davidson
Appellees' motion to expedite appeal is denied.

08/15/2006 Motion to Seal and Number the Record - Beverl
Submitted to the court on - 08/23/06
Action = GRANTED on 08/30/06
Appellant's Attorney - Jess Askew III
Appellant's motion to seal and number the record is granted. Pittman, C.J. and Robbins, Neal, and Roaf, JJ., would leave only the document in question under seal. Hart, J., not participating.

08/10/2006 Entry of Appearance - Beverly Enterprises-Ark
Appellant's Attorney - Jess Askew III

08/10/2006 Entry of Appearance - Beverly Enterprises-Ark
Appellant's Attorney - Brett David Watson

08/10/2006 Recusal
Josephine Linker Hart -- RECUSE

08/07/2006 Record Lodged

Number of Volumes 6
Number of Sets 0
Transcript Cost 1,389.80

08/07/2006 Briefing Commenced - Batesville Nursing & Rehabilitation
This event was tickled for 09/18/06

08/07/2006 Briefing Commenced - Beverly Enterprises-Arkansas, Inc.
This event was tickled for 09/18/06
Appellant's Attorney - Marvin Samuel Jones III