

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-080159

01/09/2013

HONORABLE EMMET RONAN

CLERK OF THE COURT
T. Soto
Deputy

MOONDANCE TOWNHOMES
HOMEOWNERS ASSOCIATION

CLINT G GOODMAN

v.

NATIONAL POOL AND LANDSCAPE
SERVICES L L C

JOHN G RYAN

MARIA L GIVENS

MINUTE ENTRY

The Court has considered the Motion for Relief from Judgment filed by Defendant National Pool and Landscape Services, LLC (“National”), Plaintiff’s Response and Defendant National’s Reply. Counsel for National has requested oral argument. However, the Court is of the opinion that the parties have fully and amply briefed the issue in their pleadings. Therefore, oral argument would not assist the Court. Consequently, pursuant to Rule 7.1(C), Arizona Rules of Civil Procedure, the Court will resolve the Motion without oral argument.

The procedural history of this case does not establish the type of “excusable neglect” that justifies relief from judgment under Rule 60(c). No reasonably prudent business owner, when faced with the numerous warnings regarding the need to obtain counsel, would have acted as Mr. Prosinski did in this case.

IT IS ORDERED denying the Motion for Relief from Judgment.

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ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.