

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-001252

01/25/2021

HONORABLE ROGER E. BRODMAN

CLERK OF THE COURT
M. Corriveau
Deputy

SOUTHBANK PROPERTY OWNERS
ASSOCIATION

JONATHAN D EBERTSHAUSER

v.

BOYD PHOENIX I I I, G S A, L L C

BOYD PHOENIX I I I, G S A, L L C
CT CORPORATION SYSTEM
3800 N CENTRAL AVE # 460
PHOENIX AZ 85012

JUDGE BRODMAN

MINUTE ENTRY

Plaintiff has filed on January 22, 2021 an Application for a Temporary Restraining Order and Request for Hearing on Preliminary Injunction and Request an Order to Show Cause Hearing. Before the Court will set a date for this hearing, the parties must appear for a preliminary 30-minute return hearing with the Court. Accordingly,

The Court declines to issue a temporary restraining order without notice. Defendants deserve the opportunity to respond to the allegations made in the application for temporary restraining order.

IT IS ORDERED that the parties shall appear remotely** on **January 29, 2021 at 2:00 p.m. (time allotted: 30 minutes)** before this division.

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This is a 30 minute proceeding with the Court. The Court will determine if more time is needed. All parties, whether represented by attorneys or not, must appear telephonically. If there is a failure to appear, the Court may make such orders as are just, including granting the relief requested by the party who does appear.

NO FORMAL EVIDENCE WILL BE TAKEN AT THIS RETURN HEARING. The purpose of the return hearing is to determine a date for an evidentiary hearing on plaintiff's application for a preliminary injunction and whether the preliminary injunction proceeding may be consolidated with a trial on the merits.

FAILURE TO APPEAR MAY RESULT IN THE COURT SIGNING AN INJUNCTION ORDER AGAINST THE DEFENDANTS.

IT IS FURTHER ORDERED that plaintiffs shall serve a copy of this Minute Entry Order on defendant at least 48 hours before the return hearing date.

Please note that the Court is utilizing a new virtual platform called Court Connect. This platform will be used for all remote hearings, even if the hearing is telephonic (audio) only. An auto-generated e-mail has been sent to local counsel of record. If for some reason you did not receive the e-mail, please advise the Court. You may join the hearing using the following link: tinyurl.com/jbazmc-cvj19, or you may appear via telephone by calling **1-917-781-4590, conference ID# **441 101 510#**. For further information, please visit: <https://superiorcourt.maricopa.gov/court-connect/>