

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2020-008714

01/13/2023

HONORABLE KATHERINE COOPER

CLERK OF THE COURT
L. Gilbert
Deputy

GALLERY COMMUNITY ASSOCIATION

PENNY JANE MANSHIP

v.

K HOVNANIAN AT GALLERY L L C, et al.

LOUIS W HOROWITZ

STEPHEN BEST
JASON J BOBLICK
LEONARD T FINK
SHANNON G HUFF
RINA K RAI
AMY WILKENS
DENNIS I WILENCHIK
JUDGE COOPER

MINUTE ENTRY

East Court Building – Courtroom 711

9:00 a.m. This is the time set for Oral Argument on the following motions:

- Defendants/Third-Party Plaintiffs K. Hovnanian at Gallery, LLC and K. Hovnanian Arizona Operations, LLC's Motion for Partial Summary Judgment Regarding Claims of Unsupported Defects filed September 30, 2022;
- Defendants/Third-Party Plaintiffs K. Hovnanian at Gallery, LLC and K. Hovnanian Arizona Operations, LLC's Motion for Summary Judgment Regarding Each of Plaintiff's Causes of Action filed September 30, 2022;
- Third Party Defendants Desert Vista, Inc. and Renco, LLC's Joint Motion for Summary Judgment filed September 30, 2022; and

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- Third Party Defendant Leblanc Building Co., Inc.'s Joinder in Defendants/Third-Party Plaintiffs K. Hovnanian at Gallery, LLC and K. Hovnanian Arizona Operations, LLC's Joint Motion for Summary Judgment Dated September 30, 2022 filed October 3, 2022.

Plaintiff is represented by counsel, Penny Jane Manship, appearing in person, and Craig S. Nuss, appearing virtually through the Court Connect platform. Defendants/Third-Party Plaintiffs K. Hovnanian at Gallery, LLC and K. Hovnanian Arizona Operations, LLC are represented by counsel, Dennis I. Wilenchik and Louis Horowitz. Third Party Defendants Desert Vista, Inc. and Renco, LLC are represented by counsel, Rina K. Rai, appearing virtually through the Court Connect platform.

A record of the proceedings is made digitally in lieu of a court reporter.

Third Party Defendant Leblanc Building Co., Inc., having filed a Notice of Settlement and Notice of Withdrawal of its' pending motion,

IT IS ORDERED that Joinder in Third-Party Defendants Desert Vista, Inc. and Renco, LLC's Joint Motion for Summary Judgment Dated September 30, 2022 filed October 3, 2022 is moot and oral argument on it is vacated.

Third Party Defendant Liberty Constructors LLC, having filed a Notice of Settlement and Notice of Withdrawal of its' pending motion,

IT IS ORDERED that Third Party Defendant Liberty Constructors LLC's Motion for Summary Judgment filed September 30, 2022 is moot.

Argument is presented on the pending motions.

IT IS ORDERED taking this matter under advisement.

IT IS FURTHER ORDERED affirming the Final Trial Management Conference set for February 10, 2023 at 1:30 p.m. and the 15-Day Jury Trial set to commence on March 13, 2023 at 9:00 a.m.

10:53 a.m. Matter concludes.