

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2019-055353

01/23/2026

HONORABLE MELISSA IYER JULIAN

CLERK OF THE COURT
A. Cage
Deputy

JIE CAO, et al.

JIE CAO
15742 E EAGLE CREST RD
FOUNTAIN HILLS AZ 85268

v.

LORNE POLGER, et al.

JEFFERSON R HAYDEN
LOUIS D LOPEZ
STONE XIA
15742 E EAGLE CREST RD
FOUNTAIN HILLS AZ 85268
HAINING XIA
15742 E EAGLE CREST RD
FOUNTAIN HILLS AZ 85268
CHARLES E MARKLE
JUDGE JULIAN

**STATUS CONFERENCE HELD
CASE STAYED PENDING ARBITRATION**

Courtroom 611-VC-CV East Court Building

11:06 a.m. This is the time set for a Status Conference. Plaintiff, Haining Xia is present on his own behalf. Defendants, PFP Dorsey Investments, LLC, and Dorsey Place Condominium Association, are represented by counsel, Charles Markle. Defendant, The Fredrick Apts, LLLP, is represented by counsel, Jefferson Hayden. All parties appear virtually.

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A record of the proceedings is made digitally in lieu of a court reporter. For the reasons set forth on the record,

IT IS ORDERED denying the Motion to Strike Plaintiffs' Improper Joint Status Report, filed January 20, 2026.

Discussion is held regarding the Arizona Supreme Court's Mandate Remanding to the Superior Court.

Plaintiff provides to a statement to the Court.

Mr. Markle provides a statement to the Court.

In accordance with the Supreme Court's mandate, and for the reasons set forth on the record,

IT IS ORDERED compelling the parties to initiate arbitration proceedings to adjudicate the remaining fair market value determination based upon the Supreme Court's mandate and in accordance with the termination agreement.

IT IS FURTHER ORDERED staying the case pending completion of the arbitration proceedings until **March 26, 2026**. If a motion to extend this stay for good cause or an application for confirmation of the arbitration award is not filed by that date, the remaining claims will be dismissed without prejudice and without further notice.

Discussion is held regarding the impact of the Arizona Supreme Court's mandate as to Defendant The Fredrick Apts LLLP. This Defendant was added as a result of a pleading amendment permitted by the trial court in December 2024. That ruling was vacated by the Supreme Court mandate such that parties and claims added by the Third Amended Complaint must now be dismissed.

For these reasons,

IT IS ORDERED that on or before **February 20, 2026**, Defendant The Fredrick Apts LLLP may apply for an award of attorney's fees and statement of costs. If an application or statement is submitted that Plaintiffs wish to oppose, a response must be filed not later than 20 calendar days after service. Defendant The Fredrick Apts LLLP is not permitted to file a reply unless requested to do so by the court.

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IT IS FURTHER ORDERED that on or before **February 20, 2026**, Defendant The Fredrick Apts LLLP must also submit a proposed form of judgment, leaving blank spaces for attorney's fees and taxable costs. That form of judgment may incorporate by reference what is said here and, in the Arizona, Supreme Court's mandate but otherwise should be confined to a dismissal order, proposed fee and cost awards along with Rule 54(b) language.

11:31 a.m. Matter concludes.