

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-020165

02/01/2013

HONORABLE MARK H. BRAIN

CLERK OF THE COURT
A. Melchert
Deputy

PALMS I I HOMEOWNERS ASSOCIATION,
THE

BETH MULCAHY

v.

J L K REAL ESTATE INVESTMENT
CORPORATION

J ROGER WOOD

COMERICA BANK
SPECIAL SERVICES DEPT MC 4765
P O BOX 2249
SAN JOSE CA 95109-2249
DWAYNE M FARNSWORTH

MINUTE ENTRY

The Court has reviewed defendant's Application for Attorneys' Fees, Sanctions and Costs (filed December 19, 2012), as well as plaintiff's response (no reply has been filed). The Application is DENIED. By way of brief explanation, the Court notes that the stipulated judgment is in the nature of a settlement agreement, but says absolutely nothing about defendant reserving the right to make a claim for fees, costs or sanctions, and defendant has provided nothing to the contrary. Moreover, a claim for fees must be made within 20 days under Rule 54(g). The stipulated judgment was entered more than two months before the application was filed, and is thus untimely.

IT IS FURTHER ORDERED signing this minute entry as a formal written Order of the Court.

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/ s / HONORABLE MARK H. BRAIN

HONORABLE MARK H. BRAIN
JUDICIAL OFFICER OF THE SUPERIOR COURT

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.