

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-000440

02/17/2021

HON. PAMELA GATES

CLERK OF THE COURT
S. Ortega
Deputy

SUNDANCE RANCH HOMEOWNERS
ASSOCIATION

MICHELLE B WELLNITZ

v.

JAY A ORTON

JAY A ORTON
2401 S 82ND LN
PHOENIX AZ 85043

ERIN E MCMANIS
JUDGE GATES
JANE A ORTON
2401 S 82ND LN
PHOENIX AZ 85043

MINUTE ENTRY

East Court Building – Courtroom 912

1:38 p.m. This is the time set for an Order to Show Cause Hearing. Plaintiff Sundance Ranch Homeowners Association is represented by counsel, Michelle Wellnitz and Erin McManis. Defendants Jay Orton and Jane Orton appear on their own behalf. Kaitlyn McMurray, Plaintiff's representative, is also present. All parties appear remotely through Court Connect.

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

Discussion is held regarding status of the case.

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For the reasons stated on the record,

IT IS ORDERED setting this matter for an evidentiary hearing regarding Plaintiff's January 21, 2021 Request for Preliminary and Permanent Injunction on **March 9, 2021 at 1:30 p.m.** in this division. Time allotted: **two (2) hours.**

**The Honorable Pamela Gates
Maricopa County Superior Court
East Court Building
101 W. Jefferson
9th Floor, Courtroom 912
Phoenix, AZ 85003
Phone: 602-506-6391
Fax: 602-372-8790**

Due to current administrative orders limiting in-person proceedings as a result of the Covid-19 pandemic, hearings will be held via video conference through Court Connect and Microsoft TEAMS. Parties may appear telephonically or by video using the following information:

Please join my meeting from your computer, tablet or smartphone.

www.tinyurl.com/jbazmc-cvj17

You can also dial in using your phone (audio only)
+1 (917) 781-4590
Phone Conference ID: 701 728 12#

More information regarding Court Connect can be found at:

<https://superiorcourt.maricopa.gov/court-connect/>

NOTE: All court proceedings are recorded digitally and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

EXHIBITS: For electronic and in-person exhibit submission, please visit, <https://www.clerkofcourt.maricopa.gov/services/exhibits-submission>. The webpage will provide

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instructions and guidance for electronic submission as well as locations for in-person submission of exhibits.

Counsel and the parties shall review and confer with each other regarding the exhibits **prior** to the exhibits being submitted. **PLEASE REMOVE ALL DUPLICATE EXHIBITS.**

Exhibits will be marked **numerically and consecutively**. Plaintiff's exhibits will be marked first. Defendant's exhibit numbers will begin immediately thereafter. If there are multiple Defendants marking exhibits, counsel should confer and determine the order in which they want the exhibits marked. The emailed lists from both sides may start with the number **1** if the parties have been unable to coordinate the numbering sufficiently in advance to meet the deadline for emailing the exhibit lists. In this event, the exhibits will be renumbered as necessary when they are marked by the clerk.

NOTICE: Exhibits Marked But Not Offered

Exhibits submitted to the court for an evidentiary hearing/trial, whether through hard copy or submitted electronically, that are marked as exhibits but are not offered into evidence at the evidentiary hearing will be destroyed following the hearing/trial, unless a party requests that the evidence be returned at the conclusion of the hearing. Such requests must be filed with the Court and served on all parties in advance of the hearing or by no later than the conclusion of the hearing.

1:46 p.m. Hearing concludes.

Due to the spread of COVID-19, the Arizona Supreme Court Administrative Order 2020-79 requires all individuals entering a court facility to wear a mask or face covering at all times they are in the court facility. With limited exceptions, the court will not provide masks or face coverings. Therefore, any individual attempting to enter the court facility must have an appropriate mask or face covering to be allowed entry to the court facility. Any person who refuses to wear a mask or face covering as directed will be denied entrance to the court facility or asked to leave. In addition, all individuals entering a court facility will be subject to a health screening protocol. Any person who does not pass the health screening protocol will be denied entrance to the court facility.

The Arizona Constitution requires the Arizona Commission on Judicial Performance review to conduct performance evaluations of superior court judges. The Commission is asking for your help to evaluate Maricopa County Superior Court judges currently undergoing performance review. After your hearing, if the judge you are in front of is undergoing review, a survey will be emailed to you and you can take the survey online. The survey is conducted by the Docking Institute of Public Affairs at Fort Hays State University and is anonymous and

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confidential. Your participation in the review process is important! More information on Judicial Performance Review can be found at www.azjudges.info.

La Constitución de Arizona exige que la Comisión de la Evaluación del Desempeño Judicial realice evaluaciones de desempeño de los jueces de los tribunales superiores. La comisión pide su ayuda para evaluar a los jueces del Tribunal Superior del Condado de Maricopa a quienes actualmente se les está evaluando su desempeño. Después de su audiencia, si el juez ante el cual comparece está sometido a una evaluación se le enviará por correo electrónico una encuesta que usted podrá tomar por Internet. La encuesta es realizada por el Docking Institute of Public Affairs de la Fort Hays State University y se mantiene anónima y confidencial. ¡Su participación en el proceso de la evaluación es importante! Para obtener más información sobre la evaluación del desempeño judicial, diríjase a www.azjudges.info.