

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2005-015360

03/10/2006

HONORABLE PETER SWANN

CLERK OF THE COURT
D. Kenney
Deputy

FILED: 03/14/2006

NORTH CANYON RANCH OWNERS
ASSOCIATION

AUGUSTUS H SHAW IV

v.

STACY K MOBBS

STACY K MOBBS
23650 N 36TH DR
GLENDALE AZ 85310

ALTERNATIVE DISPUTE
RESOLUTION - CCC

MINUTE ENTRY

9:00 a.m. This is the time set for Oral Argument re: Plaintiff's Motion for Summary Judgment. Plaintiff is represented by counsel, Augustus Shaw, IV. Defendant is present on her own behalf.

Court reporter, Judie Bryant, is present.

Oral argument is heard.

The Court has considered oral argument and rules as follows:

IT IS ORDERED denying Plaintiff's Motion for Summary Judgment for failure to comply with ARCP 56(c)(2). The Court notes that the inadequacy of the Motion renders unlikely any award of fees.

The Court further notes that there appears from the briefing that has been submitted, no dispute of fact that the principal and interest due for 2004 and 2005 have not yet been made by Ms. Mobbs. The Court further notes a dispute over the proper amount of those payments and is unable to discern from any evidence in the record the basis of Plaintiff's calculations.

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IT IS FURTHER ORDERED that the parties shall participate in a mandatory Settlement Conference. This case is referred to the court's Alternative Dispute Resolution for the appointment of a judge *pro tempore* to conduct a settlement conference. Counsel and/or the parties will receive a minute entry from ADR appointing the judge *pro tempore*. Counsel and any "pro per" parties will contact the appointed judge *pro tempore* to arrange the date, time and location for the settlement conference. The Office of Alternative Dispute Resolution will not do the scheduling of the settlement conference so please do not contact that office.

All counsel and their clients, or non-lawyer representatives who have full and complete authority to settle this case, shall personally appear and participate in good faith in this settlement conference, even if no settlement is expected.

IT IS FURTHER ORDERED directing the judge *pro tempore* to submit to this Court, a report on the status of this matter and indicating whether the parties have settled this matter and the matter should be dismissed or whether this matter should be set for an evidentiary proceeding.

9:35 a.m. Hearing concludes.