

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-009362

03/20/2015

HON. RANDALL H. WARNER

CLERK OF THE COURT
K. Ballard
Deputy

DAVID W COWLES

MARK S BOSCO

v.

CHARLES HOSKINS

TIM COONS
NIKITA VERMA PATEL
RALPH W WILKERSON

HEARING SET

Courtroom: ECB-512

9:55 a.m. This is the time set for a status conference for purposes of setting a hearing on competing Applications for Excess Proceeds. Applicant Cristina Mesa (aka Christina Mesa) is represented (telephonically) by Counsel Tim Coons. Applicant Sundance Residential Homeowners Association, Inc. is represented (telephonically) by Counsel Nikita Verma Patel. No other party is present or represented.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding the type and necessity of a hearing to resolve the pending Applications for Excess Proceeds.

Counsel for Applicant Mesa advises the court that he has conferred with Mr. Wilkerson (counsel for Applicant Roger W. Brown, the bankruptcy trustee) and both parties are in agreement that the HOA has first priority over the proceeds. Counsel further advises the court that there is a dispute regarding the priority of the remaining two claims.

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IT IS ORDERED setting a hearing on the Applications for Excess Proceeds filed by Applicants Mesa and Brown for **April 24, 2015 at 11:30 a.m.** in this division. Counsel and the parties, if representing themselves, are to **appear in person** before:

**The Honorable Randall H. Warner
Maricopa County Superior Court
East Court Building
101 W. Jefferson
5th Floor, Courtroom 512
Phoenix, AZ 85003
Phone: 602-372-2966
Fax: 602-372-8746**

The hearing shall be limited to **thirty (30) minutes** with the time divided equally between the sides.

NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division (602-372-2966) three (3) court business days before the scheduled hearing.

IT IS FURTHER ORDERED that any party may submit a brief on legal issues pertaining to the hearing no later than **April 17, 2015**.

IT IS FURTHER ORDERED that the parties shall submit a stipulation and proposed order regarding the HOA's Application for Excess Proceeds.

9:59 a.m. Matter concludes.