

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2021-052011

03/10/2022

HONORABLE ALISON BACHUS

CLERK OF THE COURT  
C. Lett  
Deputy

SUNRISE CONDOMINIUM ASSOCIATION

EMILY H MANN

v.

DOROTHY A SCHULTE

DOROTHY A SCHULTE  
8513 E ANGUS DR  
SCOTTSDALE AZ 85251

ALTERNATIVE DISPUTE  
RESOLUTION - CCC  
JUDGE BACHUS

MINUTE ENTRY

Courtroom 111 - NER

9:00 a.m. This is the time set for a Rule 16 Scheduling Conference via Court Connect. Plaintiff is represented by counsel Kathryn Battock. Defendant is present on her own behalf. All participants appear virtually via the Court Connect platform.

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

Discussion is held regarding the status of the case.

The Court is in receipt of Defendant's Reply to Rule 16(B) Report filed February 17, 2022.

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**IT IS ORDERED** rejecting Defendant's Reply as there is no indication on the pleading that a copy has been mailed to all opposing/interested parties/counsel, as required by Rule 5(a), Arizona Rules of Civil Procedure. The Court cannot consider ex-parte communications.

Discussion continues regarding the scheduling order.

**IT IS ORDERED** setting the following deadlines in this matter:

	<b>DEADLINE</b>
Discovery Closed	August 1, 2022
Settlement Conference Deadline	June 30, 2022
Dispositive/ <i>Daubert</i> Motions	September 2, 2022
Trial Setting Conference	See setting below. October 14, 2022

**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 (ADR) Department for the appointment of a judge *pro tempore* to conduct a settlement conference. The judge *pro tempore* is requested to conduct the settlement conference no later than **June 30, 2022**.

**IT IS FURTHER ORDERED** setting a Trial Setting Conference on **October 14, 2022 at 8:30 a.m. (time allotted: 15 minutes)** in this Division for the purpose of setting trial, if the case is ready to set trial.

Counsel and any unrepresented parties shall appear by videoconference through **Court Connect** for this conference.

**Please join the hearing from your computer, tablet, or smartphone:**

<https://tinyurl.com/jbazmc-cvj16>

You can also dial in using your phone.  
United States: +1 (917) 781-4590

Courtroom Conference ID: 826 490 596#

Use of the above link can be made easier by downloading the Microsoft Teams application first; for more on the new platform, including an introduction video and participant guide, please

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

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**LET THE RECORD REFLECT** that Plaintiff is objecting to Defendant's request for a Jury Trial. Both parties shall be prepared to discuss the form of the Trial and duration of the Trial at the Trial Setting Conference.

The Court reminds Defendant that a Motion to Dismiss must be filed in the form of a motion, not in the form of an Answer or Reply.

9:24 a.m. Matter concludes.

**Self-Represented Litigant Advisory**

**ATTENTION SELF-REPRESENTED LITIGANTS:** Unless an attorney files a notice that he or she represents a party, the person(s) not represented by an attorney will act as his or her own attorney.

- **The law requires the Court to hold all persons representing themselves to the same standard as a licensed attorney.** *Bloch v. Bentfield*, 1 Ariz. App. 412, 417 (1965) (“When one undertakes to represent himself that person is ‘entitled to no more consideration than if’ he ‘had been represented by counsel.’ He is ‘held to the same notice of statutes of local rules as would be attributed to a duly qualified member of the bar. Such a rule is indispensable to the orderly and efficient administration of justice.’”) (quoting *Smith v. Rabb*, 95 Ariz. 49, 53 (1963)); *Maher v. Uhlman*, 211 Ariz. 543, 551 (App. 2005) (“That [a party] was unrepresented did not excuse him from his burden to diligently adhere to the court’s rules.”) (citing *Homecraft Corp. v. Fimbres*, 119 Ariz. 299, 301 (App. 1978)).
- Self-represented litigants are encouraged to review the Arizona Rules of Civil Procedure, paying particular attention to Rule 26.
- Please note that **only a licensed attorney may represent a corporation, LLC, or similar business entity in the Superior Court.** *Ramada Inns v. Lane & Bird Advertising*, 102 Ariz. 127, 426 P.2d 395 (1967).
- You may not file motions or request for relief on behalf of another self-represented party. *Bloch*, 1 Ariz.App at 417 (self-represented parties may not represent other self-represented parties) (citing *Mosher v. Hiner*, 62 Ariz. 110, 113-14 (1944)).

Before the judge can consider anything you send her, you must show her that you have given a copy of your request:

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1. To the Clerk of the Court. The Clerk of the Court is a separately elected official. It is the Clerk's job to keep an independent record of everything that happens at the Court. The Court cannot act on a document that has not been made a part of that record; and
2. To every other party involved in the case. This is so all parties have a fair chance to tell the judge what they think before she makes a decision.

Because of that, if you want the judge to consider something you send her, you must file the original document with the Clerk of the Superior Court, mail or deliver a copy directly to this Division (that is, to the judge, using her specific address)

HONORABLE ALISON BACHUS  
MARICOPA COUNTY SUPERIOR COURT  
NORTHEAST REGIONAL COURT CENTER  
18380 N. 40TH STREET, SUITE F  
PHOENIX, AZ 85032  
(602) 506-7569

and mail or deliver a copy to all opposing parties. In addition, on each document you must include a signed certificate that says whether you mailed or hand-delivered each copy, when you did so, and states the specific people and the specific addresses to which you mailed or hand-delivered each copy. If a party is represented by a lawyer, you must send or deliver the copy to the lawyer, not to the party. All proposed orders submitted to this Division must include copies of the order with self-addressed, stamped envelopes for all parties/counsel.

Do not mail or send papers for the Clerk or other parties to the judge.

If you want to file papers with the Clerk of the Court by mail, send them to:

Clerk of the Superior Court's Office  
Civil File Counter  
201 W. Jefferson  
Phoenix, AZ 85003

The Clerk's guidelines for filing by mail can be found at:

<https://www.clerkofcourt.maricopa.gov/records/filings>

If you are not represented by a lawyer you must contact this Division immediately and provide a current address, telephone number, and email address. If your address, phone number,

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or email address changes in the future, you must file a notice of change of address/phone number/email address. That form can be downloaded at no charge from the following website:

<http://www.superiorcourt.maricopa.gov/SuperiorCourt/LawLibraryResourceCenter/>