

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-024457

04/24/2006

HONORABLE BARRY C. SCHNEIDER

CLERK OF THE COURT
D. Raybon
Deputy

FILED: 04/26/2006

FIREROCK RESORT CASITAS
CONDOMINIUMS HOMEOWNERS
ASSOCIATION

MICHAEL D DICKS

v.

MIRAGE HOMES L L C, et al.

JILL ANN HERMAN

ADAM B CAMPBELL
WILLIAM H DOYLE
KENNETH JANUSZEWSKI
SUSANNE B LUSE
CHARLES D ONOFRY
RINA K RAI
RICHARD L RIGHI
JAMES M SHINN

MINUTE ENTRY

The court has received Third-Party Defendant Young Builders Roofings' three Motions for Summary Judgment. No responses have been received within the time permitted. Oral argument has been requested.

Pursuant to Rule 7.1(c)(2), Arizona Rules of Civil Procedure, the court determines that, in order to expedite its business, this matter shall be decided without oral argument. The court is fully informed of the issues.

Pursuant to Rule 7.1(b), Arizona Rules of Civil Procedure, the court deems the failure to respond within the time permitted by the rules to be a consent to the granting of the motions. In addition, the court has considered the motions and all attachments.

IT IS ORDERED GRANTING all three motions as follows:

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- 1) As to Motion for Summary Judgment No. 1 re: Non-Indemnity Claims, IT IS ORDERED DISMISSING the first, second, third, fifth, sixth, eighth, ninth and tenth causes of action of Defendants' First Amended Third-Party Complaint as to movant.
- 2) As to Motion for Summary Judgment No. 2 re: Implied Warranty, IT IS ORDERED DISMISSING the claim of implied indemnity against movant.
- 3) As to Motion for Summary Judgment No. 3 re: Lack of Evidence to Support Indemnity Claim, IT IS ORDERED DISMISSING Third-Party Plaintiff's claim for indemnity against movant.