

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2008-025237

04/16/2009

HON. EDWARD O. BURKE

CLERK OF THE COURT  
L. Nixon  
Deputy

WESTVIEW CROSSING HOMEOWNERS  
ASSOCIATION

BRIAN E DITSCH

v.

KACHINA MANAGEMENT INC, et al.

JAMES E BROWN

MINUTE ENTRY

11:31 a.m. In Chambers: This is the time set for Oral Argument on Defendants' Motion To Dismiss Plaintiff's Amended Complaint As To Counts, I, II and IV. Plaintiff Westview Crossing Homeowners Association is telephonically represented by counsel, Brian E. Ditsch. Defendants, Kachina Management, Inc., R. Mark Rounsaville and Julia Rounsaville are telephonically represented by counsel, James E. Brown.

No court reporter is present.

Argument is heard on Defendants' Motion To Dismiss Plaintiff's Amended Complaint As To Counts I, II and IV.

Discussion is held regarding the Plaintiff's claim that the Defendants failed to return historical documents to his client and whether this matter is subject to arbitration.

Defendants' Motion To Dismiss Plaintiff's Amended Complaint As To Counts I, II and IV is DENIED.

11:45 a.m. Hearing concludes.