

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2012-051190

04/16/2012

HONORABLE MICHAEL R. MCVEY

CLERK OF THE COURT
L. Carlson
Deputy

TAPESTRY ON CENTRAL CONDOMINIUM ASSOCIATION ROBERT M FRISBEE

v.

MATTHEW HODEAUX ARCHITECT P L L C, GEORGE H KING
et al.

TERESA H FOSTER

CASE DISMISSED

The Court has reviewed “MBH Defendants’ Motion To Dismiss”, Plaintiff’s Response and Defendants’ Reply. The Court has also reviewed the joinder filed by Defendants Carras and Balinda. For the reasons set forth in the Motion and Reply, the Court finds that Plaintiff did not obtain the necessary approval of property owners of Plaintiff, as required in Paragraph 11.3 of the CC&Rs. The Court also finds that all Defendants have standing to invoke the standing requirement of the CC&Rs. Therefore,

IT IS ORDERED dismissing Plaintiff’s Complaint as to all Defendants without prejudice.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.