

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2012-017609

04/11/2013

JUDGE DOUGLAS L. RAYES

CLERK OF THE COURT  
T. Springston  
Deputy

PENELOPE JOHNSON

CHRISTOPHER A LAVOY

v.

POINTE SOUTH MOUNTAIN RESIDENTIAL  
ASSOCIATION, THE

BRIAN W MORGAN

**RULING**

The Court has considered Defendant's Motion for Partial Dismissal of Plaintiff's Claim for Injunctive Relief, Plaintiff's Response and Defendant's Reply.

**IT IS ORDERED** granting Defendant's Motion for Partial Dismissal of Plaintiff's Claim for Injunctive Relief.

**IT IS FURTHER ORDERED** having considered Defendant's Reply wherein Defendant seeks attorneys' fees, denying Defendant's request for attorneys' fees.

The Court has considered Defendant's Motion for Partial Dismissal of Plaintiff's Complaint Alleging Fiduciary Duty, Plaintiff's Response and Defendant's Reply.

**IT IS ORDERED** granting Defendant's Motion for Partial Dismissal of Plaintiff's Complaint Alleging Fiduciary Duty.

**IT IS FURTHER ORDERED** striking the words "and fiduciary capacity" from Paragraph 63(e) of the Complaint.

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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.