

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2016-091629

04/22/2016

HON. ROBERT H. OBERBILLIG

CLERK OF THE COURT
I. Ostrander
Deputy

PALM VALLEY COMMUNITY ASSOCIATION MARK W WALDRON

v.

FARHAD PATNY, et al.

DENNIS J SKARECKY

RULING

The Court has read the following:

- Plaintiff's *Motion to Dismiss Third Party Complaint* electronically filed on March 28, 2016;
- *Patny's Response to "Motion to Dismiss Third-Party Complaint"* electronically filed on April 8, 2016; and
- Plaintiff's *Reply on Motion to Dismiss Third Party Complaint* electronically filed on April 20, 2016.

The Court is of the opinion that the parties have fully and adequately briefed the issue(s) in their pleadings and therefore oral argument would not assist the Court. Consequently, pursuant to Rule 7.1(c), Arizona Rule of Civil Procedure, the Court will resolve the motion without oral argument.

The Court finds as a matter of law that the Third Party Complaint is barred by the running of the one-year statute of limitations and for the additional grounds set forth by the Movant.

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IT IS ORDERED granting the Motion to Dismiss, with prejudice.

IT IS FURTHER ORDERED Plaintiff's counsel shall submit for the Court's review and signature an appropriate form of Judgment by **May 12, 2016**.

Any responses/objections thereto shall be filed in accordance with the Arizona Rules of Civil Procedure.

NOTE: COUNSEL SHALL UPLOAD AND E-FILE ALL PROPOSED ORDERS IN WORD FORMAT ONLY TO ALLOW FOR POSSIBLE MODIFICATION BY THE COURT.