

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2018-007951
CV 2018-009167

04/16/2019

HON. ROSA MROZ

CLERK OF THE COURT
D. Charbagi
Deputy

DESERT RIDGE COMMUNITY ASSOCIATION JEFFREY D GROSS

v.

FIRSTSERVICE RESIDENTIAL ARIZONA L L BRIAN R BOOKER
C, et al.

STEVEN MARTIN AARON
JUDGE MROZ

MINUTE ENTRY

The Court has considered BRE Thunder Desert Ridge Property Owner LLC's Motion to Consolidate CV2018-009167 into CV2018-007951 filed on March 21, 2019. The Court did not received any responses by the due date.

In CV2018-007951, Plaintiff Desert Ridge Community Association sued Defendant First Service Residential Arizona for negligence in the administration of the Association's accounting records and collecting membership fees related to the Desert Ridge Resort. First Service is the Association's community general manager.

In CV2018-009167, Plaintiff Desert Ridge Community Association sued BRE for declaratory judgment and breach of contract on an interpretation of the Desert Ridge Community Association's Declaration of Covenants, Conditions, Restrictions and Easements ("CC&R") which would result in BRE owing the Association a lot more money than BRE believes it owes, and BRE filed a counterclaim for declaratory judgment as well. BRE owns the Desert Ridge Resort.

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The Court notes that BRE is not a party in CV2018-007951. The Court further notes that although both cases deal with the interpretation of the CC&R, the claims are different. The Court further notes that the litigation in one case is not dependent on the litigation in the other case. In the Court's discretion,

IT IS ORDERED denying BRE Thunder Desert Ridge Property Owner LLC's Motion to Consolidate CV2018-009167 into CV2018-007951 filed on March 21, 2019.