

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2025-024375

04/07/2026

HONORABLE MICHAEL MANDELL

CLERK OF THE COURT
C. Curley
Deputy

MARK CONDOMINIUM ASSOCIATION INC,
THE

JEFFREY B CORBEN

v.

JENNIFER JOHNSON, et al.

JENNIFER JOHNSON
6803 E MAIN ST UNIT 3306
SCOTTSDALE AZ 85251

PORTFOLIO RECOVERY ASSOCIATES
L L C
7955 S PRIEST DR STE 102
TEMPE AZ 85284
NORTHWOOD PARK HOMEOWNERS
ASSOCIATION
3100 W RAY RD STE 201
CHANDLER AZ 85226
L V N V FUNDING L L C
7955 S PRIEST DR STE 102
TEMPE AZ 85284
CV ARBITRATION
JUDGE MANDELL

RULING

Plaintiff requested authorization for service by publication pursuant to Rule 4.1(l) of the Arizona Rules of Civil Procedure. Rule 4.1(k) (emphasis added) provides as follows:

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Alternative Means of Service.

(1) *Generally.*

If a party shows that the means of service provided in Rule 4.1(c) through Rule 4.1(j) are impracticable, the court may--on motion and without notice to the person to be served--order that service may be accomplished in another manner.

(2) *Notice and Mailing.*

If the court allows an alternative means of service, the serving party must make a reasonable effort to provide the person being served with actual notice of the action's commencement. In any event, the serving party must mail the summons, the pleading being served, and any court order authorizing an alternative means of service to the last-known business or residential address of the person being served.

(3) *Service by Publication.*

A party may serve by publication ***only if the requirements of Rule 4.1(l), 4.1(m), 4.2(f), or 4.2(g) are met*** and the procedures provided in those rules are followed.

Rule 4.1(l) requires that before a party may request service by publication, the party must show “that the service provided by Rule 4.1(c) though 4.1(k)—including an alternative means of service—is impracticable ...”

Whether traditional service is “impractical,” defined as “extremely difficult or inconvenient” is a fact specific inquiry. *See Blair v. Burgener*, 226 Ariz. 213, 245 P.3d 898 (App. 2010).

Plaintiff has not demonstrated that service, including through other alternative forms of service, is impractical in this case. Plaintiff appears to know of at least two addresses where Defendant would likely receive alternative service, such as posting.

Importantly, Plaintiff does not simply seek *alternative service*. Instead, Plaintiff seeks the rare and extraordinary order allowing for service by publication. This is a method of service that relies on the particularly thin chance that the party to be served would happen upon a notice in a local newspaper. Plaintiff has not met his burden for service by publication. Plaintiff must demonstrate more attempts to locate and serve this party—or seek an appropriate order for alternative service. Accordingly,

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IT IS ORDERED denying Plaintiff's request for service by publication, without prejudice to Plaintiff filing a renewed motion for alternative service if further efforts at personal service are unsuccessful.

IT IS FURTHER ORDERED the Plaintiff has until **June 5, 2026** to properly serve the Defendant.