

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-090103

04/29/2015

HON. MARK F. ACETO

CLERK OF THE COURT
M. Scott
Deputy

TAPESTRY ON CENTRAL L L C, et al.

AARON M FINTER

v.

TAPESTRY ON CENTRAL CONDOMINIUM
ASSOCIATION, et al.

KEVIN P NELSON

PAUL D CARDON
MITCHELL J RESNICK

MINUTE ENTRY

On March 6, 2015, plaintiffs filed a “Motion for Leave to File Second Amended Complaint”. The court has reviewed the pleadings. Pursuant to Rule 7.1, the court declines to schedule oral argument.

Under the circumstances,

IT IS ORDERED granting plaintiffs’ motion. Further,

IT IS ORDERED that the proposed “Second Amended Complaint” will be deemed to have been filed and served when this minute entry is filed by the clerk of the court.

Plaintiffs’ “Second Amended Complaint” removes the residential plaintiffs from this case. Defendants ask that the claims of these plaintiffs be dismissed with prejudice. No opposition having been stated,

IT IS ORDERED granting defendants’ request. More specifically,

IT IS ORDERED that the claims of Tapestry Arizona Condos, LLC and Tapestry 607, LLC are dismissed with prejudice.

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Given that the claims of the residential plaintiffs have been dismissed, defendants ask that fees and costs be awarded to them regarding their successful litigation of these claims. The court declines to award attorney fees and costs at this time and

IT IS ORDERED denying without prejudice the request for an award of fees and costs.