

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2016-051874

05/11/2017

HONORABLE SUSAN M. BRNOVICH

CLERK OF THE COURT
K. Hartley
Deputy

THOMAS R EDEL

JONATHAN P IBSEN

v.

LEGEND TRAIL COMMUNITY
ASSOCIATION, THE, et al.

JAY ROSENTHAL

LIFE FITNESS BRUNSWICK
CORPORATION
NO ADDRESS ON RECORD
GARRETT OLEXA

UNDER ADVISMENT RULING

The Court has had the opportunity to review *Watts v. Golden Age Nursing Home*, 127 Ariz. 255, (1980). Based on that rationale, the Court finds that punitive damages are not available on the wrongful death claims. Therefore,

IT IS ORDERED granting Brunswick Corporation's Motion to Dismiss Punitive Damages and granting Defendants Legend Trail Community Association, Legend Train Parcel A. Homeowners Association, Legend Trail Parcel E, Homeowners Association and AAM, LLC's Motion for Partial Summary Judgment Regarding Punitive Damages.

IT IS FURTHER ORDERED that Plaintiff's file their amended complaint no later than **May 26, 2017**.