

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2018-015165

05/23/2019

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT  
S. Brown  
Deputy

NICDON 10663 L L C

JONATHAN A DESSAULES

v.

DESERT MOUNTAIN MASTER  
ASSOCIATION

CURTIS S EKMARK

JUDGE VIOLA

MINUTE ENTRY

The Court has received Defendant's Request for Rule 56(d) Relief filed May 6, 2019. Upon review, the Request is not seeking expedited relief from the Court as contemplated under Rule 56(d). At page 3, the Defendant suggests that it would be more efficient for the Court to hold this motion until after oral argument on the competing motions for summary judgment. The Court is unclear as to the specific request of Defendant since the request suggests that Defendant seeks discovery before responding to the Plaintiff's motion. Accordingly, the request to hold the motion seems to defeat the purpose of the request if the parties anticipate the Court is going to hold oral argument which would be scheduled after the motions are fully briefed.

**IT IS ORDERED** Defendant shall file an amended Request on or before **May 31, 2019** with a clarification to address the above concern noted by the Court. If no amended Request is filed, the Court will deem this request abandoned.