

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2020-008714

04/27/2021

HONORABLE MICHAEL W. KEMP

CLERK OF THE COURT  
K. Ballard  
Deputy

GALLERY COMMUNITY ASSOCIATION

PENNY JANE MANSHIP

v.

K HOVNANIAN AT GALLERY L L C, et al.

DENNIS I WILENCHIK

STEPHEN BEST  
JASON J BOBLICK  
SAMANTHA EGAN  
LEONARD T FINK  
AMANDA R HOUGH  
TERESA HAYASHI WALES  
JUDGE KEMP

MINUTE ENTRY

Courtroom: ECB-711

10:25 a.m. This is the time set for a status conference to address Plaintiff's Request for Rule 56(d) Relief, filed March 22, 2021.

Appearances are all telephonic and are as follows:

- Plaintiff Gallery Community Association is represented by Counsel Penny J. Manship.
- Defendants/Third-Party Plaintiffs K. Hovnanian at Gallery, LLC; K. Hovnanian Arizona Operations, LLC; K. Hovnanian Developments of Arizona, Inc.; and K.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2020-008714

04/27/2021

Hovnanian Companies of Arizona, LLC (“Defendants/Third-Party Plaintiffs”) are represented by Counsel Dennis I. Wilenchik.

- Third-Party Defendant Chas Roberts Air Conditioning, Inc. is represented by Counsel Teresa Hayashi Wales.
- Third-Party Defendant Sargon Masonry Construction, LLC is represented by Counsel David S. Schopick (appearing in place of Leonard T. Fink).
- Third-Party Defendant Gothic Landscaping, Inc. is represented by Counsel Amanda R. Hough.
- Third-Party Defendant Liberty Constructors is represented by Counsel Thomas Shorall, Jr. (appearing in place of Jason J. Boblick).
- Third-Party Defendants Renco Roofing is represented by Counsel Shannon Huff (appearing in place of Samantha Egan).
- No other party is present or represented.

A record of the proceedings is made digitally in lieu of a court reporter.

The Court notes that Plaintiff has already filed a response to the pending summary judgment motion but is seeking additional time to file a more substantive response after discovery.

The Rule 56(d) request is discussed.

For the reasons set forth on the record,

**IT IS ORDERED** granting, out of abundance of caution, Plaintiff an extension of time to file an amended response. **THE COURT FINDS** no prejudice to Defendants/Third-Party Plaintiffs in granting the extension.

**IT IS FURTHER ORDERED** Plaintiff shall file an amended response to Defendants/Third-Party Plaintiffs’ Motion for Summary Judgment (filed February 19, 2021) no later than **September 24, 2021**. Defendants/Third-Party Plaintiffs shall file an amended reply within the normal time limits.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2020-008714

04/27/2021

Counsel for Defendants/Third-Party Plaintiffs requests that the Court parse out a portion of the pending summary judgment motion for early resolution. Court and counsel discuss same.

**IT IS ORDERED** denying the request to parse out the legal issue discussed on the record.

**IT IS FURTHER ORDERED** affirming the briefing schedule set forth above.

10:55 a.m. Matter concludes.

**ALERT:** Due to the spread of COVID-19, the Arizona Supreme Court Administrative Order 2020-79 requires all individuals entering a court facility to wear a mask or face covering at all times they are in the court facility. With limited exceptions, the court will not provide masks or face coverings. Therefore, any individual attempting to enter the court facility must have an appropriate mask or face covering to be allowed entry to the court facility. Any person who refuses to wear a mask or face covering as directed will be denied entrance to the court facility or asked to leave. In addition, all individuals entering a court facility will be subject to a health screening protocol. Any person who does not pass the health screening protocol will be denied entrance to the court facility.