

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-052655

05/25/2022

HONORABLE SARA J. AGNE

CLERK OF THE COURT
A. Delgado
Deputy

MICHAEL BERENT, et al.

MICHAEL BERENT
17974 N 167TH DR
SURPRISE AZ 85374

v.

GRAZYNA MROCZKOWSKA, et al.

DEBRA S BROCKWAY
JONATHAN A DESSAULES
KELSEY DRESSEN
JUDGE AGNE

MINUTE ENTRY

The Court notes that Plaintiff Nancy Berent has made filings in this matter on February 24, 2022; March 4, 2022; March 8, 2022; March 10, 2022; March 28, 2022; March 29, 2022; April 6, 2022; April 6, 2022; April 13, 2022; April 28, 2022; April 29, 2022; and May 5, 2022.

These dozen filings both preceded and succeeded the Certified Arbitrator's Notice of Decision, filed March 24, 2022, and Arbitration Award, filed April 4, 2022. The filings that preceded the Arbitration Award are all presumed to have been addressed by the Certified Arbitrator appointed pursuant to Admin. Order No. 2021-106 on November 2, 2021. *See Atchison, T. & S.F. Ry. Co. v. Parr*, 96 Ariz. 13, 15 (1964).

The couple exceptions would be a Motion to Recuse this division filed March 10, 2022, and an Appeal from Arbitration, filed March 29, 2022. Plaintiff presents no valid reason for disqualifying this Court, and this Court advised all Parties repeatedly, both before and after

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appointing the certified arbitrator, that his decision was binding upon the Parties as they agreed in open court to participate in the fee-free version of the Certified Arbitration Program. (*See* Minute Entry filed November 5, 2021, at 2.) Therefore,

IT IS ORDERED denying Plaintiff Nancy Berent's motions to recuse this division and any relief sought by her attempted appeal from the Arbitration Award.

The filings that succeeded the Arbitration Award must be addressed by this Court, but—as noted above—the Certified Arbitrator's Award is binding in this matter, meaning no Party may appeal or collaterally attack the Award except as otherwise provided by law. Plaintiff Nancy Berent's filings that succeed the Award provide no legal grounds for an appeal or collateral attack on the binding Award. Therefore,

IT IS FURTHER ORDERED denying any relief sought by Plaintiff Nancy Berent's filings that succeed the binding Arbitration Award.

IT IS FURTHER ORDERED that Defendants may submit a proposed form of Judgment on the Arbitration Award not later than twenty days from the filing of these Orders by the Clerk of the Superior Court.

IT IS FURTHER ORDERED that the Court would entertain a motion by any Party to declare Plaintiff Nancy Berent a vexatious litigant for purposes of this matter only. *See* A.R.S. § 12-3201.