

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2006-051448

06/13/2006

HONORABLE MARK W. ARMSTRONG

CLERK OF THE COURT  
J. McQueen  
Deputy

FILED: 06/14/2006

WILLIAM M BROWN

CAROL L DESZENDEFFY

v.

TERRAVITA COMMUNITY ASSOCIATION  
INC

ANGELA L POTTS

CURTIS S EKMARK  
SUSAN E MCKENZIE  
LYNN M KRUPNIK

**ORAL ARGUMENT  
MATTER UNDER ADVISEMENT  
LATER UNDER ADVISEMENT RULING**

11:01 a.m. This is the time set for Oral Argument on Defendant's Motion for Summary Judgment and Motion to Strike. Plaintiff is represented by counsel, Carol L. Deszendeffy. Defendant is represented by counsel, Curtis S. Ekmark, Susan E. McKenzie and Lynn M. Krupnik.

Court reporter, Jessica Castro Moroz, is present.

Additionally, a digital audio recording of this proceeding is being made by CD using the "For the Record" recording system.

Arguments are heard.

**IT IS ORDERED** taking this matter under advisement.

11:58 a.m. Hearing concludes.

**LATER:**

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The Court has reviewed Exhibits 2 and 3 from the hearing of April 13, 2006. The Court finds that Exhibit 2 accurately reflects expenses incurred by the Association with respect to the issue of non-resident golf memberships. That was the information requested by Plaintiff. Therefore, Plaintiff's request has been satisfied.

**IT IS ORDERED** sealing Exhibit 3 until further order of this Court or a court of appeal.

The Court finds that Defendant's Motion for Summary Judgment is moot.

**IT IS FURTHER ORDERED** denying Defendant's Motion to Strike.

**IT IS FURTHER ORDERED** that both sides shall bear their own costs and attorney's fees.

**IT IS FURTHER ORDERED** dismissing this case.