Michael K. Jeanes, Clerk of Court
*** Filed ***
06/09/2015 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-092719 06/08/2015

COMMISSIONER MARGARET BENNY

CLERK OF THE COURT
T. Haaser
Deputy

DAYBREAK VISTA HOMEOWNERS ASSOCIATION

PHILIP N BROWN

v.

LINCOLN TRUST, et al.

LINCOLN TRUST
860 N ALBERT DR.
CHANDLER AZ 85226

WELLS FARGO BANK N A
2338 W ROYAL PALM RD
STE J
PHOENIX AZ 85021
MICHAEL P FAITH

MINUTE ENTRY

The Court has received Defendants Candice Klein and Lincoln Trust's Motion to Dismiss Pursuant to ARCP 12(b)(5); Motion to Set Aside Judgment Pursuant to ARCP 60(c); Motion to Set Aside Sheriff's Deed; Motion for New Trial Pursuant to ARCP 59(j) (Pled in Alternative); Motion to Partially Set Aside Judgment Pursuant to 60(c) Re: Abandonment of Property (Pled in Alternative); and Motion to Consolidate. No response was filed. Defendant also filed a Motion for Order Directing Clerk to Disburse Funds. No response was filed.

On Court's own motion,

**IT IS ORDERED** setting an oral argument hearing on these motions for **Friday, June 26, 2015 at 11:00 a.m. (30 minutes allotted)** at the **Maricopa County Superior Court Southeast Facility, 222 E. Javelina Ave., Courtroom 303, Mesa, AZ 85210**.

As the Court anticipates that an evidentiary hearing may be set, the parties should come prepared to inform the Court of potential witness they may call.

Further, Defendants request that the Court consolidate this matter with her action against the property buyer, Donald White, against whom they are seeking a temporary restraining order. The Court could not locate a civil court case in this Court that Defendants filed against Donald White.

**IT IS ORDERED** that Defendants are to immediately notify the Court through written notice of any case that Defendants filed against Donald White.

**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court.

/ s / COMMISSIONER MARGARET BENNY

JUDICIAL OFFICER OF THE SUPERIOR COURT