

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-092719

06/26/2015

COMMISSIONER MARGARET BENNY

CLERK OF THE COURT

T. Haaser

Deputy

DAYBREAK VISTA HOMEOWNERS
ASSOCIATION

PHILIP N BROWN
NATHAN TENNYSON

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
MCSO CIVIL UNIT
MCSO CIVIL UNIT
111 S 3RD AVENUE
2ND FLOOR
PHOENIX AZ 85003

MINUTE ENTRY

Courtroom 303 - SEA

11:08 a.m. This is the time set for Oral Argument regarding 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.

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Counsel Nathan Tennyson appears on behalf of the Plaintiff Daybreak Vista Homeowners Association. Counsel Michael Faith is present on behalf of the Defendant Candice Lamb aka Candice Klein, who is present, and Lincoln Trust. No one else appears.

A record of the proceedings is made by CD/videotape in lieu of a court reporter.

Both counsel state their client's position.

Discussion is held.

Based upon the matters presented herein and upon stipulation of the parties,

IT IS ORDERED granting the Stipulation to the Entry of Order to Set Aside Sheriff's Deed.

No objections having been made,

IT IS ORDERED granting Plaintiff's Rule 60 Motion for Judgment Nunc Pro Tunc.

LET THE RECORD REFLECT that the Defendants are withdrawing their Motion to Consolidate.

IT IS FURTHER ORDERED directing the Sheriff's Office to provide the redeeming party with a calculation/accounting for the redemption amount.

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

11:26 p.m. Matter concludes.

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FILED: Order Directing Clerk to Disburse Funds, Stipulate Order to Set Aside Sheriff's Deed, Judgment Nunc Pro Tunc and Decree of Foreclosure and Order of Sale

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