

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2014-090103

06/13/2016

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT  
M. Kay  
Deputy

TAPESTRY ON CENTRAL L L C, et al.

RYAN J LORENZ

v.

TAPESTRY ON CENTRAL CONDOMINIUM  
ASSOCIATION, et al.

KEVIN P NELSON

MICHAEL J ROGERS

UNDER ADVISEMENT RULING/  
TELEPHONIC STATUS CONFERENCE SET

After Oral Argument on May 6, 2016, the Court took under advisement Defendant's Motion for Summary Judgment on three separate counts after granting Defendant's Partial Motion for Summary Judgment relating to Counts 10 and 11 and mistakenly referenced Count 4 as part of the Court's order. Instead, the Minute Entry of May 6, 2016 should reflect that the Court is granting the Motion for Summary Judgment as it related to Counts 7, the declaratory judgment claim. The counts being taken under advisement were Counts 2, 4 and 5. After considering the oral argument and memoranda of the parties,

**IT IS ORDERED** denying Defendant's Motion for Summary Judgment as it relates to repairs made at the direction of the Defendant and for the maintenance of the common areas which was the Defendant's responsibility. To that extent,

**IT IS ORDERED** denying Defendant's Motion for Summary Judgment on Counts 2 and 4.

For reasons set forth in Defendant's Motion,

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**IT IS ORDERED** granting the Motion for Summary Judgment as it relates to the 5<sup>th</sup> claim for relief, the alleged breach of an oral contract.

**IT IS FURTHER ORDERED** that an award of attorneys' fees will abide final judgment in this matter.

**IT IS ORDERED** setting a Telephonic Status Conference re: trial date on **July 29, 2016 at 1:30 p.m. (15 minutes allotted)** in this Division.

**NOTE:** Counsel for the Plaintiff is to initiate the telephonic conference by first arranging the presence of all other counsel or self-represented parties on the conference call and by calling this Division at (602) 506-6251 promptly at the scheduled time.

**NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.**