

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2016-050453

06/28/2017

HONORABLE AIMEE L. ANDERSON

CLERK OF THE COURT
A. Wood
Deputy

VILLAGE AT GRAYHAWK OWNERS
ASSOCIATION

STEWART FOSTER SALWIN

v.

ALAN JONES, et al.

KATHRYN MARIE JONES
PO BOX 72107
PHOENIX AZ 85050

MINUTE ENTRY

Prior to commencement, Plaintiff's exhibits 1-27 were marked for identification.

Courtroom 108-NE

9:06 a.m. This is the time set for Evidentiary Hearing. Counsel Stewart Salwin is present with Plaintiff/Property Manager Joy Graves. Defendant Kathryn Jones is neither present nor represented by counsel.

A record of the proceedings is made digitally in lieu of a court reporter.

Defendant Kathryn Jones having failed to appear, with no good cause shown,

IT IS ORDERED proceeding with today's evidentiary hearing as scheduled.

Discussion held.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2016-050453

06/28/2017

Discussion is further held regarding exhibits.

Plaintiff's exhibits 1-27 are received in evidence.

Joy Graves and Kenneth Fincel are sworn.

Opening statements.

Joy Graves, having been previously sworn, testifies.

Kenneth Fincel, having been previously sworn, testifies.

Based on the evidence presented and for reasons as fully stated on record,

IT IS ORDERED granting the Plaintiff's Order to Show Cause and request for sanctions, as it relates to striking the Defendant's Answer and Cross-claim filed May 6, 2017.

IT IS FURTHER ORDERED that Plaintiff Village at Grayhawk Owners Association may proceed by way of default.

Moreover, as this Court has ordered the Defendant's answer and counterclaim to be struck, and the case to proceed by default,

IT IS ORDERED vacating today's trial setting conference.

IT IS FURTHER ORDERED vacating the discovery deadlines as set forth in the November 8, 2016 Scheduling Order.

IT IS FURTHER ORDERED denying Defendant's June 20, 2017 motions: 1.) Motion to Dismiss Plaintiff's Verified Complaint filed February 25, 2016, 2.) Defendant's Motion to Grant Counterclaim filed May 6, 2016, 3.) Defendant's Request for Reimbursement of Legal Fees and Expenses, in addition to Sanctions Levied Against Plaintiffs, and 4.) Defendant's Request for Reimbursement of Costs for Terminex Termite Treatment of Unit #1053.

IT IS FURTHER ORDERED that Plaintiff's counsel is to submit a proposed form of order consistent with today's ruling no later than 5:00 p.m. on July 14, 2017 for the Court's review.

10:48 a.m. Matter concludes.