

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-052655

06/09/2022

HONORABLE SARA J. AGNE

CLERK OF THE COURT
A. Delgado
Deputy

MICHAEL BERENT, et al.

MICHAEL BERENT
17974 N 167TH DR
SURPRISE AZ 85374

v.

GRAZYNA MROCKOWSKA, et al.

NANCY BERENT
17974 N 167TH DR
SURPRISE AZ 85374
DEBRA S BROCKWAY
KELSEY DRESSEN
JUDGE AGNE

MINUTE ENTRY

The Court has received and reviewed Plaintiff Nancy Berent's Motion to Vacate Judgment, Motion to Strike Order from Judgment Based on Police Report of Felony in Progress Denied Medical Continuance, and her Appeal from Arbitration and Motion for Trial Setting, all filed June 3, 2022.

The Motion to Vacate Judgment cites Ariz. R. Civ. P. 60(b)(6), and under that rule, "a court may grant a party relief for 'any other' reason not stated in Rules 60(b)(1)–(5). Rule 60(b)(6) applies when the 'need for finality [in judgments] must give way in extraordinary circumstances.'" *See Aloia v. Gore*, 252 Ariz. 548 (App. 2022). "But Rule 60(b)(6) does not allow the trial court to re-weigh evidence or review legal errors." *Id.*

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Plaintiff Nancy Berent cites no extraordinary circumstances that require Ariz. R. Civ. P. 60(b)(6) relief. Therefore,

IT IS ORDERED denying the Motion to Vacate Judgment.

Similarly, the Motion to Strike evinces none of the grounds under Ariz. R. Civ. P. 7.1(f)(1). Therefore,

IT IS FURTHER ORDERED denying the Motion to Strike.

Finally, as noted in several prior minute entries, the Parties in this case participated in a binding arbitration pursuant to Admin. Order No. 2021-106. (*See* Minute Entry filed November 5, 2021, at 2.) There is no appeal right, therefore,

IT IS FURTHER ORDERED striking the Appeal from Arbitration and Motion for Trial Setting.