

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
07/23/2002

07/18/2002

CLERK OF THE COURT
FORM V000A

HONORABLE ROBERT L. GOTTSFIELD

M. Johnson
Deputy

CV 2001-092709

FILED: _____

VILLAS EAST FIVE ASSOCIATION INC

CHARLES E MAXWELL

v.

ANTHONY ROSSO

ANTHONY ROSSO
5620 S 67TH AVENUE
LAVEEN AZ 85339-9673

MINUTE ENTRY

9:08 a.m. This is the time set for Plaintiff's Motion For Summary Judgment; Plaintiff's Motion to Continue Rule 26.1 and 16(g)(1). Also the time for hearing on Plaintiff's Motion to Strike Defendant's Response to Motion for Summary Judgment. Counsel Charles E. Maxwell is present on behalf of Plaintiff. Two different individuals apparently are on the conference line announcing as Anthony Rosso with two distinct voices. The Court assumes Mr. Rosso was on the line with a friend as stated to the judicial assistant of this division.

Court Reporter, Lorraine Chalkey, is present.

Arguments are held.

After argument,

IT IS ORDERED taking this matter under advisement.

9:14 a.m. Matter concludes.

07/18/2002

CLERK OF THE COURT
FORM V000A

HONORABLE ROBERT L. GOTTSFIELD

M. Johnson
Deputy

CV 2001-092709

LATER:

After further consideration and review of the authorities,

IT IS ORDERED granting Plaintiff's Motion for Summary Judgment and awarding Plaintiff judgment against Anthony Rosso in the amount of \$3,280.17, the amount due and owing as of April 30, 2002 and any additional amount which has come to the date of this hearing. It is understood that the sum of \$3,280.17 includes \$2,403.02 principal, including late charges; \$115.00 in interest on said amount at 10% per annum and 2002 assessments and late charges (12 x 139.00) or \$1,668.00, less Defendants payments totaling \$891.00.

IT IS FURTHER ORDERED awarding Plaintiff prejudgment interest on said principal sum at the highest rate permitted by law until foreclosure as well as Plaintiffs costs and attorney's fees to be submitted by statement of costs and affidavit. The Court also orders this judgment against Defendant is superior to any lien or interest of the Defendant in the property, not subject to a homestead exemption.

IT IS FURTHER ORDERED that the lien be foreclosed and the special execution be issued to the Sheriff all as provided in the complaint of the Plaintiff.

The Plaintiff's Motion to Strike Defendant's Response to Motion for Summary Judgment is denied as the Court wanted to determine the case on the merits. Plaintiff's Motion to Continue Rule 26.1 and 16 (g)(1) is now moot.