

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-054217

07/12/2011

HONORABLE MICHAEL R. MCVEY

CLERK OF THE COURT  
R. Tomlinson  
Deputy

MARY BISHARA

MARY BISHARA  
17422 N 100TH PL  
SCOTTSDALE AZ 85255

v.

CHAUNCEY RANCH INVESTORS L L C, et al. JAMES PATRICK ARMSTRONG

FINANCIAL SERVICES-CCC

MINUTE ENTRY

The Court has reviewed Defendants' Motion to Enforce Settlement Agreement and Motion in the Alternative to Enlarge Time Period for Filing Dispositive Motions, Plaintiff's Response, and Defendants' Reply.

This Court presided over a hearing in this case on March 28, 2011. The purpose of the hearing that day was to rule upon Plaintiff's motion to quash the Chauncey party's subpoena duces tecum. During the course of the hearing the parties again discussed whether settlement had been reached. Plaintiff acknowledged that she had received settlement documents from Defendants. She indicated she had no objection to the terms of the settlement agreement, but was unwilling to execute the settlement documents until such time as she received full payment. The Court suggested an alternative to both parties. That alternative was for Defendants to post the full amount of the settlement proceeds with the Clerk of Court. Defendant also agreed to pay the filing fee for this deposit. Thereafter, Plaintiff would execute the settlement documents, and return them to Defendants. The Court would then authorize the Clerk of Court to release the

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settlement proceeds directly to Plaintiff. Both parties agreed to this process on the record in open court.

Contrary to the position taken in open court on March 28, 2011, Plaintiff now complains about a number of sections of the settlement papers.

This Court finds that the parties reached a settlement in open court on March 28, 2011. The terms of the settlement were as set forth in the settlement documents previously delivered to Plaintiff, and for the amount of \$32,500.00 to be paid by Defendant to Plaintiff. Therefore,

**IT IS ORDERED** declaring that the parties have fully settled all of their respective claims between one another.

**IT IS FURTHER ORDERED** directing the Clerk of Court to release the settlement proceeds previously posted by Defendants in the amount of \$32,500.00 directly to Plaintiff, Mary Bishara.

**IT IS FURTHER ORDERED** dismissing this case with prejudice effective on **July 29, 2011**.

/ s / HONORABLE MICHAEL R. MCVEY

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JUDICIAL OFFICER OF THE SUPERIOR COURT

ALERT: eFiling through AZTurboCourt.gov is mandatory in civil cases for attorney-filed documents effective May 1, 2011. See Arizona Supreme Court Administrative Orders 2010-117 and 2011-010. The Court may impose sanctions against counsel to ensure compliance with this requirement after May 1, 2011.