

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2023-006233

07/06/2023

HONORABLE SUSANNA C. PINEDA

CLERK OF THE COURT

C. Lockhart

Deputy

LAS BRISAS COMMUNITY ASSOCIATION

KYLE BANFIELD

v.

GARRISON K GARSHA, et al.

MARK W HORNE

JUDGE PINEDA

DOCKET CV TX

MINUTE ENTRY

East Court Building – Courtroom 913

9:45 a.m. This is the time set for an Order to Show Cause Return Hearing regarding Plaintiff's Request for Preliminary and Permanent Injunctions filed April 25, 2023 and for Oral Argument regarding Defendants' Rule (b)(1) and (6) Motion to Dismiss, filed on May 16, 2023. Plaintiff, Las Brisas Community Association, is represented by counsel, Erin McManis, on behalf of Kyle Banfield. Defendants, Garrison K. Garsha and Lindsey M. Garsha, are represented by counsel, Shane Ham on behalf of Mark W. Horne. All parties appear via the Court Connect platform.

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

Discussion is held regarding the status of the case.

Argument is presented to the Court.

Based on matters heard on the record,

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IT IS ORDERED granting Defendants' Motion to Dismiss. The Court finds the arbitration clause within the CC&R's is applicable to all parties, therefore the Court does not have jurisdiction in this matter.

10:14 a.m. Matter concludes

IT IS ORDERED, dismissing this matter without prejudice as to all claims against all parties. No further matters remain pending, and the Court signs this minute entry as a final judgment pursuant to Rule 54(c), Ariz. R. Civ. P.

DATED this _____ day of July 2023

/s/ Susanna C. Pineda
HONORABLE SUSANNA C. PINEDA
JUDICIAL OFFICER OF THE SUPERIOR COURT