

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2022-093703

07/05/2024

HONORABLE PETER A. THOMPSON

CLERK OF THE COURT
V. Felix
Deputy

TAX LIEN SERVICES I I, L L C

HEATHER MUIR HENDRIX

v.

SALVATORE GATTO PARTNERS L P, et al.

SALVATORE GATTO PARTNERS L P
NO ADDRESS ON RECORD

TIMOTHY H BARNES
CLEARLY WATER LTD
NO ADDRESS ON RECORD
MARICOPA COUNTY TREASURERS
OFFICE
NO ADDRESS ON RECORD
CANYON TRAILS UNIT 4 SOUTH
HOMEOWNERS ASSOCIATION
NO ADDRESS ON RECORD
JUDGE THOMPSON

MINUTE ENTRY

The Court has received fully considered Plaintiff's Motion for Summary Judgment Against Defendant Peter Faulkner filed March 28, 2024, Defendant's Response filed May 2, 2024, and Plaintiff's Reply filed June 4, 2024 together with the associated Statement of Facts. The Plaintiff raises several new arguments for the first time in its Reply. This is due to the late redemption by Defendant. However, while the arguments raised in the Reply are persuasive, the Court will not grant summary judgment on the newly requested relief, even though plead in the alternative in the Complaint.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2022-093703

07/05/2024

Given the apparent lack of dispute on any material fact and the statutory remedies mandated by statute, the Court is inclined to allow the parties to attempt to resolve the claims prior to added briefing, responses, and replies. Therefore,

IT IS ORDERED denying the Motion for Summary Judgment as filed on March 28, 2024.

IT IS FURTHER ORDERED that Plaintiff shall submit a motion for award of fees and costs appropriate for the redeemed property. Defendant shall file any objection within 20 days and Plaintiff may file a reply if deemed necessary. Plaintiff need not recite the factual basis for the statutory relief, beyond what is established by the factual record on summary judgment.