

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-034695

07/15/2025

HONORABLE DAVID MCDOWELL

CLERK OF THE COURT
K. Tiero
Deputy

DESSAULES LAW GROUP

JONATHAN A DESSAULES

v.

DEBORAH MICHELE MINAMYER

DEBORAH MICHELE MINAMYER
6945 E COCHISE RD # 136
PARADISE VALLEY AZ 85253

CHARLES H OLDHAM
DOCKET CV TX
JUDGE MCDOWELL

RULING ON POST-JUDGMENT FILINGS

Pending before the Court are three motions filed by Defendant Deborah Minamyer after the Judgment was entered on May 12, 2025 and after the Show Cause hearing was held on May 30, 2025. Montelenas Villas Homeowners Association filed two motions in June. Plaintiff Dessaules Law Group filed one Motion on July 9, 2025 that is resolved by this Court's orders on Ms. Minamyer's motions, to that motion will be addressed as well. Each will be addressed separately.

MOTION TO VACATE JUDGMENT AND EXTEND STAY.

On June 6, 2025 Ms. Minamyer filed a *Defendant's Motion to Vacate Judgment and Strike Post-Stay Filings* and *Motion to Enforce Stay Request for Sanctions Under Rule 11* and *Motion to Extend Stay for 90 days due to Out of State Probate Case*. Plaintiff filed a *Response* on June 25, 2025. No reply has been filed and the time for filing a reply expired on July 7, 2025 (including mailing days).

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-034695

07/15/2025

This *Motion* is premised upon Ms. Minamyers belief that Judge Coffey granted her February 28, 2025 *Motion to Stay*. He did not. On April 8, 2025 Judge Coffey entered a ruling denying the Motion to Stay.¹

Until and unless a stay is granted a party to an action is obligated to comply with all deadlines set by the Court and by the Rules of Civil Procedure. Ms. Minamyers did not. Therefore,

IT IS ORDERED denying Ms. Minamyers request to vacate the Summary Judgment entered April 14, 2025.

IT IS ORDERED denying Ms. Minamyers request to strike filings made by Plaintiff after March 26, 2025.

IT IS ORDERED denying the request to enforce the stay because a stay was never entered.

IT IS ORDERED denying Ms. Minamyers request to impose sanctions on Plaintiff.

Ms. Minamyers also asked that the stay be extended. The Court cannot extend a stay that was never granted, so the Court will consider this to be a request for entry of a stay.

IT IS ORDERED denying Ms. Minamyers request for a stay.

MOTION TO INTERPLEAD FUNDS and MOTION TO INTERVENE

On June 10, 2025 Montelena Villas Homeowners Association Inc., filed a *Motion to Intervene for the Purpose of Interpleader* and a motion entitled *Montelena Villas Homeowners Association, Inc.'s Motion to Interplead Funds*. Neither Plaintiff nor Defendant filed a response to either of these motions. The time for filing a response expired June 30, 2025 (including mailing days).

In these motions, the Homeowners Association, which reached an agreement with Ms. Minamyers in 2024 (see more discussion below), seeks to intervene in this action to deposit the settlement funds owed to Ms. Minamyers for the Court to distribute the funds between the competing claimants.

IT IS ORDERED permitting the intervention of Montelena Villas Homeowners Association.

IT IS ORDERED permitting Montelena Villas Homeowners Association to deposit the sum of \$180,000.00 into the registry of the Court for distribution among the competing claimants to those funds.

¹ The Court notes, in the event there is any confusion, that Ms. Minamyers also sought a stay in matter CV2022-001790. That request for a stay was also denied by an order filed with the Clerk of the Court on March 27, 2025.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-034695

07/15/2025

IT IS ORDERED upon deposit of the \$180,000.00 into the registry of the Court, Montelena Villas Homeowners Association is discharged from further liability regarding those funds in this action. This release does not affect any liability in matter CV2022-001790 – discharge of liability in that matter will need to be obtained from the judicial officer presiding over that matter.

MOTION TO STRIKE PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

On June 20, 2025 Deborah Minamyler filed *Defendant’s Motion to Strike Plaintiff’s Motion for Summary Judgment as Filed During Court-Ordered Stay*. On July 9, 2025 Plaintiff filed its *Response*. No reply has been filed and the time for filing a reply has not yet passed, but since a reply cannot raise new issues, nothing stated in the reply will affect the outcome of this motion.

This *Motion* is also premised upon Ms. Minamyler’s belief that Judge Coffey granted her February 28, 2025 *Motion to Stay*. He did not. On April 8, 2025 Judge Coffey entered a ruling denying the *Motion to Stay*. Until and unless a stay is granted a party to an action is obligated to comply with all deadlines set by the Court and by the Rules of Civil Procedure. Ms. Minamyler did not.

Therefore, **IT IS ORDERED** denying Ms. Minamyler’s *Motion to Strike Plaintiff’s Motion for Summary Judgment as Filed During Court-Ordered Stay*.

In the *Response*, Plaintiff seeks sanctions against Defendant for responding to three post-judgment motions all of which Plaintiff contends are attempts to perpetrate fraud on the court.

The Court will address the request for sanctions after that issue has been fully briefed.

RESPONSE TO MOTION FOR SUMMARY JUDGMENT

On June 20, 2025 Deborah Minamyler filed *Defendant’s Response in Opposition to Motion for Summary Judgment*.

In this *Response*, Ms. Minamyler argues Plaintiff filed the *Motion for Summary Judgment* during a court-ordered stay. That is incorrect. The Court never entered an order staying this action. Plaintiff’s *Motion* was timely.

Ms. Minamyler also argues no settlement was reached between herself and the Homeowners Association. That issue was litigated in matter CV2022-001790 and Judge Blanchard issued a ruling on January 27, 2025. He found that a valid and binding settlement agreement was reached between Montelena Villas Homeowners Association and Deborah Minamyler.² Judge Blanchard also found Ms. Minamyler was represented by Plaintiff at the time that settlement agreement was reached. This Court will not relitigate the issue of whether a valid settlement agreement was

² Judge Blanchard denied a subsequent *Motion to Amend, Correct and Clarify Order* aimed at the January 27, 2025 Order.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-034695

07/15/2025

reached when that issue has already been fully litigated in another action involving the same parties.

Even if Ms. Minamyers *Response* was timely (it was not) it fails to raise any disputed issue of material fact. The Response was not supported by a Statement of Facts and it contains no facts to support its contentions. Further some of the contentions raised in the *Response* are incorrect.

IT IS ORDERED affirming the April 14, 2024 order (filed with the Clerk of the Court on April 15, 2025) granting Plaintiff's Motion for Summary Judgment.

MOTION TO STRIKE DEFENDANT'S RESPONSE IN OPPOSITION TO MOTION FOR SUMMARY JUDGMENT

On July 10, 2025, Dessauls Law Group filed *Plaintiff's Motion to Strike Defendant's Response in Opposition to Plaintiff's Motion for Summary Judgment and Request for Sanctions*. Plaintiff seeks to strike from the Court's record Defendant's untimely response to their motion for summary judgment because it contains factual inaccuracies and does not comply with Rule 56, Ariz.R.Civ.Proc.

The Court has already affirmed the April 14, 2024 order (filed with the Clerk of the Court on April 15, 2025) granting Plaintiff's Motion for Summary Judgment. Therefore, **IT IS ORDERED** denying the *Motion to Strike* as moot.