

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2009-021410

08/19/2009

HONORABLE JEANNE GARCIA

CLERK OF THE COURT
C.I. Miller
Deputy

WACHOVIA BANK N A

BENJAMIN REEVES

v.

ELITE HOMEBUILDERS INC, et al.

NICOLE ANN MILLER
JASON E SMITH
CHARLIE DUNLAP
10645 N TATUM BLVD #200-219
PHOENIX AZ 85028

HEARING MINUTE ENTRY

COURTROOM 303-OCH

11:00 a.m. This is the time set for return hearing on Plaintiff's Order to Show Cause Re Application for Appointment of Receiver. Plaintiff is represented by counsel, Benjamin Reeves. Defendant Tortosa Homeowners Association and San Tan Homeowners Association are represented by counsel, Nicole Miller and Angela Potts.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Plaintiff's counsel presents statements to the court and avows that all parties have been served. Plaintiff's counsel advised that he has conferred with Ms. Miller and Mr. Jason Smith who represents Defendant Global Water Resources regarding the appointment of a receiver and any changes to the form of order. Ms. Miller concurs. At this point, no one has objected to the new form of order appointing a receiver. Mr. Reeves now presents an Exhibit "A" he wishes to

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attach to the new form of order presented, which sets forth the receiver's schedule of fees. No objection thereto at this time and same is attached to the order for the court's consideration.

THE COURT FINDS that irreparable harm may occur to the property if a receiver is not appointed to protect the property in question; a bond in the amount of \$10,000.00 is set. Good cause appearing,

IT IS ORDERED granting Plaintiff's request for the appointment of a receiver and appointing Charles Dunlap as Receiver upon the posting of a \$10,000 bond in this matter, all in accordance with formal written Order Appointing Receiver signed by the court on August 19, 2009, and entered (filed) by the clerk on August 19, 2009.

11:26 a.m. Hearing concludes.