

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-006867

08/08/2013

HON. SALLY SCHNEIDER DUNCAN

CLERK OF THE COURT
C. Castro
Deputy

JAMES ZIMPLEMAN, et al.

MARK BAINBRIDGE

v.

NORTH CANYON RANCH OWNERS
ASSOCIATION

CHAD M GALLACHER

COURT ADMIN-CIVIL-ARB DESK

MINUTE ENTRY

Courtroom 702 - Central Court Building

9:58 a.m. This is the time set for oral argument on Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6), ARCP, filed on June 12, 2013. Plaintiffs are represented by counsel, Mark Bainbridge. Defendant is represented by counsel, Chad M. Gallacher.

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

Oral argument is presented.

For the reasons set forth on the record,

IT IS ORDERED denying the Motion to Dismiss, in part. Plaintiffs' claim for Breach of Fiduciary Duty is granted. All other claims are denied.

The Court has reviewed the case file and finds that this matter is subject to compulsory arbitration. Therefore,

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IT IS ORDERED transferring this matter to the Civil Court Administration Arbitration Desk for appointment of an arbitrator.

IT IS FURTHER ORDERED that counsel and/or the parties shall direct all future pleadings, except motions listed under Ariz. R. Civ. P. 74(c) (1), to the arbitrator for consideration and ruling.

10:10 a.m. Matter concludes.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.