

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-010230

08/20/2014

HON. DAWN M. BERGIN

CLERK OF THE COURT
M. Nielsen
Deputy

STARPOINTE COMMUNITIES L L C, et al.

KIRK H HAYS

v.

TAPESTRY ON CENTRAL CONDOMINIUM
ASSOCIATION, et al.

KEVIN P NELSON

GEORGE H KING

MINUTE ENTRY

Central Court Building – Courtroom 704

9:34 a.m. This is the time set for a Telephonic Status Conference on Plaintiffs' Complaint in Interpleader. Plaintiffs Starpointe Communities, LLC, Starpointe Communities II, LLC, Starpointe Marketing Concepts, LLC and Str Construction, Ltd., are represented by counsel, Kirk H. Hays. Defendant Tapestry On Central Condominium Association is represented by counsel, Kevin P. Nelson. Defendants Matthew B. Hodeaux Architect, PLLC, M B H Development, LLC, Matthew Hodeaux and Katerina Maria Hodeaux, are represented by counsel, George H. King.

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

Discussion is held regarding case status.

Plaintiffs are currently in possession of \$647,985.54 that they seek to deposit with the Court due to a dispute between the Defendants as to who is entitled to the funds. Plaintiffs also request that they be discharged from this action.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-010230

08/20/2014

Defense counsel confirm that Tapestry on Central Condominium Association and the Hodeaux Defendants (Matthew and Katerina Hodeaux; Matthew B. Hodeaux Architect; and MBH Development) each claim entitlement to the funds, and they advise the Court that a lawsuit regarding the dispute was recently filed.

The Defendants have no objection to discharging the Plaintiffs. Plaintiffs' counsel agrees to amend the proposed order to eliminate any award of attorneys' fees and costs.

IT IS ORDERED granting the Plaintiffs' request for discharge upon the entry of a final order and the deposit of the disputed funds with the court.

IT IS FURTHER ORDERED that counsel shall submit a stipulated amended order to the Court.

IT IS FURTHER ORDERED setting a Telephonic Status Conference regarding case status on **October 20, 2014 at 9:00 a.m. (15 minutes)**

**THE HONORABLE DAWN BERGIN
MARICOPA COUNTY SUPERIOR COURT
CENTRAL COURT BUILDING
201 W JEFFERSON ST
7TH FLOOR, COURTROOM 704
PHOENIX, AZ 85003
602-372-2961 TEL**

Plaintiff shall initiate the conference call.

NOTE: Counsel shall be available for the conference call on a telephone land line and not on cellular phones, in order to maximize all participants' ability to hear and be heard.

Note: Counsel shall have their calendars available for this proceeding.

If a court reporter is required, the Court must receive a written request at least 48 hours before the commencement of the proceeding. Failure to timely request a court reporter will be deemed consent to proceed without a court reporter.

9:42 a.m. Matter concludes.