

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-003419

08/23/2017

COMMISSIONER DAVID W. GARBARINO

CLERK OF THE COURT
L. Brown
Deputy

JASON P SHERMAN

JASON P SHERMAN

v.

TREASURER OF MARICOPA COUNTY
ARIZONA

TREASURER OF MARICOPA COUNTY
ARIZONA
NO ADDRESS ON RECORD

MARY ANN HESS
NIKITA VERMA PATEL
CHRYSOULA SPYROPOULOS
2524 S EL PARADISO
MESA AZ 85202

MINUTE ENTRY

Courtroom: ECB 813.

11:01 a.m. This is the time set for Status Conference Re: Release of Excess Proceeds. Claimant Lake Park Village I Homeowners Association is represented telephonically by counsel, Nikita Verma Patel. Claimant Chrysoula Spyropoulos is present telephonically on her own behalf. No other parties are present.

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held.

Based upon the matters presented,

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IT IS ORDERED setting an Oral Argument and Hearing Re: Priority on **November 1, 2017 at 10:30 a.m.**, (time allotted: 30 minutes), in this Division:

Maricopa County Superior Court
East Court Building
101 West Jefferson
Courtroom 813
Phoenix, AZ 85003

IT IS FURTHER ORDERED parties shall file their lists of witnesses and exhibits with the Clerk of the Court **on or before October 11, 2017**. Any witnesses or exhibits not listed in the lists of witnesses and exhibits will be inadmissible at trial. All documents filed shall be exchanged between the parties electronically the same day filed via fax, email, or hand delivery to avoid the mailing delay.

IT IS FURTHER ORDERED any and all dispositive motions shall be filed no later than **October 11, 2017** with any responses filed **on or before October 13, 2017**.

NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

11:15 a.m. Matter concludes.

LATER:

The Court inadvertently failed to discuss the mailing requirements during the telephonic status conference held today, but does so here.

Pentagon Federal Credit Union has not satisfied A.R.S. § 33-812(G) as there is no affidavit of mailing for the application with copies of the returned envelope(s) or signed receipt(s) attached thereto for each potentially interested party identified by the Complaint.

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Chysoula Spyropoulos has not satisfied A.R.S. § 33-812(G) as there is no affidavit of mailing for the application with copies of the returned envelope(s) or signed receipt(s) attached thereto for each potentially interested party identified by the Complaint.

Lake Park Village I Homeowners Association has not satisfied A.R.S. § 33-812(G). The Affidavit in Support of Application for Disbursement of Excess Proceeds does not include a returned envelope or signed receipt for mailing of the application to The Dobson Association, Inc., c/o Carpenter, Hazlewood, Delgado and Bolen address.

The Court will not issue an order releasing excess proceeds to any applicant until that applicant satisfies A.R.S. § 33-812(G).