

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2009-091264

08/30/2010

HONORABLE KAREN POTTS

CLERK OF THE COURT
M. Brady
Deputy

MESA EAST PROPERTY OWNERS
ASSOCIATION

GARY C HENDRICKSON

v.

LAND INVESTMENT VENTURES L L C, et al.

LAND INVESTMENT VENTURES L L C
NO ADDRESS ON RECORD

ZONA DIAL
NO ADDRESS ON RECORD
DESERT SCHOOLS FEDERAL CREDIT
UNION
NO ADDRESS ON RECORD
ROYAL EQUITY TRUST
NO ADDRESS ON RECORD
TRAVIS S WILLIAMS

MINUTE ENTRY

The Court has considered Plaintiff's Motion to Amend Complaint, Defendant's Response and Plaintiff's Reply. The Court agrees with Plaintiff that an amendment should be allowed in this case. Defendant's objection, that Plaintiff failed to give notice as required by the CC&R's prior to filing this action is not waived or resolved by the amended complaint. A complaint merely alleges causes of action; allowing an amendment to a complaint is not a ruling by the Court that the allegations have merit. Defendant is free to assert whatever defenses he believes are proper in his amended answer.

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IT IS ORDERED granting Plaintiff's Motion to Amend. Plaintiff shall serve the Amended Complaint upon Defendant in accordance with the Arizona Rules of Civil Procedure and Defendant shall answer in accordance with those Rules.