

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-007501

09/22/2011

HONORABLE JOHN A. BUTTRICK

CLERK OF THE COURT
J. Eaton
Deputy

MOUNTAIN VIEW VILLAGE TOWNHOUSES GORDON LEWIS
COMMUNITY ASSOCIATION

v.

PAUL DEMOS

PAUL DEMOS
9722 N 3RD DR
PHOENIX AZ 85021

MARK A HOLMGREN

RULING

The Court has reviewed Defendant/Counterclaimant's Motion to Compel and Motion for Discovery Order, filed August 8, 2011, and Plaintiff/Counterdefendant's Response to Motion to Compel, filed August 29, 2011.

The essence of the Motion is that the Counterdefendant ("Mountain View") allegedly failed to timely respond to Counterclaimant's written discovery served by mail on June 24, 2011.

However, it appears that Mountain View did timely respond to the discovery requests on August 8, 2011, the same day Counterclaimant ("Demos") filed the instant motion.

In addition, it should be noted that Demos failed to comply with the requirement of Ariz. R. Civ. P. 37(a) to attach his certification of personal consultation.

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In the circumstances, the Court declines to award fees to Mountain View given Demos' pro se status. In the future, however, Demos should heed the legend he applied to his own motion and insure that all motion papers are filed "in strict accordance to [sic] Arizona Rules of Civil Procedure."

The Motion is denied.

ALERT: Effective September 1, 2011, the Arizona Supreme Court Administrative Order 2011-87 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.