

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2011-016976

09/09/2013

HON. MARK F. ACETO

CLERK OF THE COURT

M. Scott

Deputy

MICHAEL MERLIE, et al.

STEVEN W CHEIFETZ

v.

VAL VISTA LAKES COMMUNITY  
ASSOCIATION, THE, et al.

SCOTT CARPENTER

ROBERT A FOLLMER  
1349 E SEA GULL DR  
GILBERT AZ 85234-2611  
LOIS M FOLLMER  
1349 E SEA GULL DR  
GILBERT AZ 85234-2611

MINUTE ENTRY

**INJUNCTION MODIFIED**

On June 20, 2013, the Court (i.e. Judge Foster) issued a "Permanent Injunction". The Court makes note of the following:

- The final paragraph of the "Permanent Injunction" discusses steps that might be taken by the Court in the event of failure to comply with the injunction.
- For example, the final paragraph of the injunction talks of a possible fine. Currently, the assigned Judge has no idea who any such fine would be paid to.
- The "Permanent Injunction" is a Court order. Failure to comply with this Court order may constitute contempt of Court. With or without the final paragraph of

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the “Permanent Injunction”, the Court has the power to find Defendants in contempt and to use its inherent powers to enforce the “Permanent Injunction”.

Under the circumstances, on Court’s own motion,

**IT IS ORDERED** amending the Permanent Injunction dated June 20, 2013, by deleting the final paragraph. That said, the Court retains the power to hold Defendants in contempt and to enforce its orders.

/ s / HON. MARK F. ACETO

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JUDICIAL OFFICER OF THE SUPERIOR COURT