

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-052203

09/20/2013

HONORABLE ALFRED M. FENZEL

CLERK OF THE COURT
W. Tenoever
Deputy

KATRINA HERSHEY

CAROLYN GOLDMAN

v.

MANAGEMENT TRUST INC F N, THE, et al.

CLINT G GOODMAN

RULING

Courtroom 102 - NE

9:01 a.m. This is the time set for Oral Argument on Defendants' A.R.C.P. 12(b)(1) Motion to Dismiss for Lack of Jurisdiction and Defendants' A.R.C.P. 12(b)(6) Motion to Dismiss. Plaintiff Katrina Hershey is represented by counsel, Carolyn Goldman. Defendants The Management Trust, Inc., FN, Cactus Flats Condominium Association, Inc. and Robert Harmer are represented by counsel, Clint G. Goodman.

A record of the proceeding is made by audio and/or videotape in lieu of a court reporter.

Arguments are heard.

IT IS ORDERED taking Defendants' A.R.C.P. 12(b)(1) Motion to Dismiss for Lack of Jurisdiction and Defendants' A.R.C.P. 12(b)(6) Motion to Dismiss under advisement.

9:25 a.m. Hearing concludes.

LATER:

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This matter having been taken under advisement and the Court having considered the matters presented,

IT IS ORDERED denying Defendants' A.R.C.P. 12(b)(1) Motion to Dismiss for Lack of Jurisdiction.

IT IS FURTHER ORDERED granting Defendants' A.R.C.P. 12(b)(6) Motion to Dismiss.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 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.