

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-095508

09/15/2014

HON. MARK F. ACETO

CLERK OF THE COURT
M. Kay
Deputy

MICHAEL MCMULLEN

DAVID E JOHNSON

v.

VAL VISTA LAKES COMMUNITY
ASSOCIATION, THE

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ASSOCIATION, THE
NO ADDRESS ON RECORD

MINUTE ENTRY

The Court makes note of the following:

- Among other things, Plaintiff seeks a TRO and a Preliminary Injunction.
- Plaintiff seeks relief regarding action taken by Defendant on and after November 21, 2013.
- Plaintiff did not file this lawsuit until September 8, 2014.
- While laches may not bar a permanent injunction, it may well be a bar to preliminary relief. A temporary injunction is sought upon the theory that there is an urgent need for speedy action. When pursuit of injunctive relief is delayed, it may be inferred that there is in fact a lack of need for such speedy action. *Helena Rubinstein, Inc. v. Frances Denney, Inc.*, 286 F. Supp. 132, 134 (1968).

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The Court has issued an OSC and expects to expeditiously address Plaintiff's request for a permanent injunction. That said, in light of the circumstances (including but not limited to those discussed above),

IT IS ORDERED denying Plaintiff's requests for a TRO and a Preliminary Injunction.