

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2015-095178

09/14/2016

HON. ROBERT H. OBERBILLIG

CLERK OF THE COURT
I. Ostrander
Deputy

SUNDANCE RESIDENTIAL HOMEOWNERS
ASSOCIATION INC

JAVIER B DELGADO

v.

LORRI GLAWE, et al.

JONATHAN A DESSAULES

UNDER ADVISEMENT RULING

Plaintiff's Motion for Summary Judgment has been under advisement per the minute entry of July 28, 2016. The Court has read each party's supplemental brief.

The Court grants Plaintiff's Motion for Summary Judgment for breach of contract only. The Court will permit Plaintiff to file an application for attorney's fees and costs.

The Court agrees with the Defense position that Plaintiff did not timely and properly invoice for any late fees or collection fees.

Plaintiff is not entitled to recover those alleged damages.

Plaintiff is not entitled to the remedy of foreclosure now that the assessments have been paid.

IT IS ORDERED Plaintiff's counsel shall submit for the Court's review and signature an appropriate form of Final Judgment by **October 4, 2016.**

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IT IS FURTHER ORDERED that any application for attorney's fees and costs, including a statement of costs, shall be submitted with the proposed form of Final Judgment by the October 4, 2016, deadline.

Any responses/objections thereto shall be filed in accordance with the Arizona Rules of Civil Procedure.

NOTE: COUNSEL SHALL UPLOAD AND E-FILE ALL PROPOSED ORDERS IN WORD FORMAT ONLY TO ALLOW FOR POSSIBLE MODIFICATION BY THE COURT.