

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2015-095897

09/25/2018

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT
M. Kay
Deputy

TURTLE ROCK III HOMEOWNERS
ASSOCIATION

CLINT G GOODMAN

v.

LYNNE A FISHER

LYNNE A FISHER
901 E MICHIGAN AVE
PHOENIX AZ 85022

ASHLEY N MOSCARELLO
JUDGE TALAMANTE

MINUTE ENTRY

Courtroom 207 – SEF

9:10 a.m. This is the time set for Status Conference re: Court of Appeals Mandate and to discuss enforcement of the Court's prior orders. Counsel, Clint G. Goodman, is present on behalf of Plaintiff. Defendant, Lynne A. Fisher, is neither present nor represented.

A record of the proceedings is made digitally in lieu of a court reporter.

LET THE RECORD REFLECT today's proceedings were scheduled to begin at 9:00 a.m. It is now 9:11 a.m., Defendant has failed to appear. The Court will proceed in Defendant's absence.

The Court has reviewed the case file and the memoranda filed by counsel. Based on the Court's review of the Court of Appeals Remand and Mandate, the Court is required to vacate the prior Judgment awarding Plaintiff attorneys' fees and monetary penalties.

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IT IS THEREFORE ORDERED vacating the Order and Judgment filed on June 8, 2016 insofar as it awards attorneys' fees to Plaintiff in the amount of \$10,839.70 and monetary penalties in the amount of \$3,850.00. The award of costs in the amount of \$474.00 is affirmed.

Counsel for Plaintiff advises the Court that Defendant has failed to cure the violations indicated in the Order and Judgment.

IT IS ORDERED directing counsel for Plaintiff to submit a form of Order to Show Cause including the Return Hearing date and what specific actions Defendant must take to cure the violations. The form of Order shall be submitted no later than **October 9, 2018**.

IT IS FURTHER ORDERED setting an Order to Show Cause Hearing re: contempt on **November 29, 2018 at 1:30 p.m.** in this Division at:

Maricopa County Superior Court
Southeast Adult Facility
222 E. Javelina Dr.
Courtroom 207
Mesa, AZ 85210

NOTE: All court proceedings are recorded digitally and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

9:19 a.m. Conference concludes.