

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2015-090274

09/25/2018

COMMISSIONER MARGARET BENNY

CLERK OF THE COURT

J. L. Johnson

Deputy

DESERT GARDEN HOMEOWNERS
ASSOCIATION INC

MARK W WALDRON

v.

M W HOMES L L C, et al.

JERRY L COCHRAN

BANK OF AMERICA NATIONAL
ASSOC
NO ADDRESS ON RECORD
PACIFIC WESTERN BANK
NO ADDRESS ON RECORD
ERIC L COOK
TERRY HARBECK
NO ADDRESS ON RECORD
ARROWHEAD LAKES HOMEOWNERS
ASSOCIATION INC
NO ADDRESS ON RECORD
CITY OF PHOENIX
NO ADDRESS ON RECORD
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS INC
NO ADDRESS ON RECORD
JOSEPH J TIRELLO
COMM. BENNY

MINUTE ENTRY

SUPERIOR COURT OF ARIZONA
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Courtroom 305 - SEA

10:49 a.m. This is the time set for Status Conference. Counsel Joseph Tirello appears on behalf of Intervenor 2005 Residential Trust 3-2. Counsel Jerry Cochran appears on behalf of Defendant MW Homes, LLC. Michael Wingersky, Member and Manager of MW Homes LLC is present.

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

LET THE RECORD REFLECT that this matter was taken under advisement on May 4, 2018. However, upon receipt of Defendant's Notice of Discharge of Debt in Bankruptcy Court, the Court erroneously believed that this matter had been resolved.

Dennis Wortman testifies regarding the bankruptcy proceedings in this matter.

Mr. Tirello presents his client's position.

Mr. Cochran presents his client's position.

Based upon the testimony presented,

IT IS ORDERED denying Intervenor 2005 Residential Trust 3-2's Application for Distribution of Proceeds Following a Sheriff's Sale on the basis of Mr. Wingersky's bankruptcy.

IT IS FURTHER ORDERED that Intervenor may file supersedeas bond with the Superior Court in the amount of \$51,751.13 should it wish to stay the enforcement of judgment pending appeal.

11:11 a.m. Matter concludes.

/ s / COMMISSIONER MARGARET BENNY

JUDICIAL OFFICER OF THE SUPERIOR COURT

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