

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2020-092936

08/31/2020

HONORABLE STEVEN P. LYNCH

CLERK OF THE COURT  
S. Cheney  
Deputy

SILVERTON DEER VILLAGE HOMEOWNERS ASSOCIATION INC    MARK W WALDRON

v.

JANET DEFINE

MICHAEL S DEFINE

COMM. LYNCH

**MINUTE ENTRY**

Courtroom 303 – SEA

10:02 a.m. This is the time set for a continued Default Hearing. Counsel, Chad Gallacher, appears telephonically on behalf of Plaintiff. Counsel, Michael Define, appears telephonically on behalf of Defendant.

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

Discussion is held regarding Defendant's *Motion to Dismiss Pursuant to A.R.C.P., Rule 12(b)(6)* filed August 4, 2020.

Argument is presented to the Court.

For the reasons stated on the record,

**IT IS ORDERED** denying the Motion.

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**IT IS FURTHER ORDERED** setting Evidentiary Hearing on **September 22, 2020 at 10:00 a.m. (2 hours allotted)** in this Division, Southeast Court Facility, 222 E. Javelina Avenue, Courtroom 303, Mesa, Arizona 85210.

In response to the COVID-19 virus, the Court is limiting the amount of people in the courthouse. With that being said, Commissioner Lynch's division is allowing the Evidentiary Hearing to be telephonic. Please call the division on **September 22, 2020 at 10:00 a.m.** at: **602-506-9695** and you will be prompted to enter a code which is **290623**. Please call the division 5 minutes before your hearing.

The parties are advised to notify the Court if an agreement has been reached.

10:40 a.m. Hearing concludes.

For electronic and in-person exhibit submission, please visit, <https://www.clerkofcourt.maricopa.gov/services/exhibits-submission>. The webpage will provide instructions and guidance for electronic submission as well as locations for in-person submission of exhibits.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at:  
<http://www.superiorcourt.maricopa.gov/SuperiorCourt/LawLibraryResourceCenter/>

**PLEASE NOTE:** For digital copies or transcripts of any recorded proceedings a Request for Daily Copy may be made here: <https://superiorcourt.maricopa.gov/e-courtrooms/>

**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.

**Due to the spread of COVID-19, the Arizona Supreme Court Administrative Order 2020-79 requires all individuals entering a court facility to wear a mask or face covering at all times they are in the court facility. With limited exceptions, the court will not provide masks or face coverings. Therefore, any individual attempting to enter the court facility must have an appropriate mask or face covering to be allowed entry to the court facility. Any person who refuses to wear a mask or face covering as directed will be denied**

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**entrance to the court facility or asked to leave. In addition, all individuals entering a court facility will be subject to a health screening protocol. Any person who does not pass the health screening protocol will be denied entrance to the court facility.**