

10/16/2002

CLERK OF THE COURT
FORM V000A

HONORABLE ROBERT L. GOTTSFIELD

M. Johnson
Deputy

CV 2002-090335

FILED: _____

TORRE BLANCA ASSOCIATION

MARK E LINES

v.

DENNIS M NEWMAN, et al.

JACK H SIMON

MINUTE ENTRY

9:10 a.m. This is the time set for oral argument on plaintiff's Motion for Summary Judgment. Counsel Mark E. Lines is present on behalf of plaintiff. Counsel Jack H. Simon is present on behalf of defendant. Both are present in person.

Court Reporter, Lorraine Chalkey, is present.

Discussions are held.

After discussion the Court grants defendant's Motion to Enlarge Time and defendants will file a response by November 22, 2002 and continuing the hearing on the Motion for Summary judgment to **December 4, 2002 at 9:00 a.m.** (15 min.). The Court believes there is a sufficient basis in which to give additional time for the defendants to examine the occupant ledger which they received about a week ago and to take the depositions of pertinent individuals who can explain the discrepancy, if any, between the occupant ledgers and the amounts sued upon.

In that connection plaintiff contends than any balance is derived from a previously entered judgment and this Court on

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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September 24, 2002 determined that none of the three defendants could collaterally attack the justice court judgment but were only entitled to offer proof of sums allegedly assessed against them from the date of the justice court judgment to the present. Defendants contend that they believe this was an erroneous determination and will also brief that and it will be argued at the time of motion for summary judgment.

9:19 a.m. Matter concludes.