

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2007-090949

10/16/2007

HONORABLE JOSEPH KREAMER

CLERK OF THE COURT
T. Soto
Deputy

DESERT RIDGE COMMUNITY ASSOCIATION CHARLES E MAXWELL

v.

DONALD J LAWRENCE JR., et al.

CLINT G GOODMAN

MARIA E LAWRENCE
NO ADDRESS ON RECORD

MINUTE ENTRY

9:28 a.m. This is the time set for Oral Argument re: Plaintiff's Motion for Summary Judgment and Defendant/Counterclaimant's Motion for Summary Judgment. Counsel, Charles E. Maxwell, participates on behalf of Plaintiff Desert Ridge Community Assoc. Association Representative Lance Jones, is also present. Counsel, Clint G. Goodman, participates on behalf of Defendant Lawrence.

A record of the proceedings is made by CD/videotape as well as by the court reporter, Jennifer Stadler.

Argument is heard re: Defendant/Counterclaimant's Motion for Summary Judgment.

IT IS ORDERED denying Defendant/Counterclaimant's Motion for Summary Judgment for the reasons as set forth on the record.

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As to Plaintiff's Motion for Summary Judgment,

IT IS ORDERED Plaintiff's counsel shall provide the Court with a brief, no more than five pages, regarding the Plaintiff's legal right and standing to enforce the design guideline on or before **November 1, 2007**. Defense counsel's five pages or less response is due no later than **November 30, 2007**.

IT IS FURTHER ORDERED Defense counsel shall provide the Court with a brief, no more than five pages, regarding why the reasonableness standard applies and why there is an issue of fact on or before **November 1, 2007**. Plaintiff counsel's five page or less response is due on or before **November 30, 2007**.

IT IS FURTHER ORDERED setting oral argument on **December 4, 2007 at 8:30 a.m.** (**Time allotted: 30 minutes**) before:

THE HONORABLE JOSEPH KREAMER
SOUTHEAST ADULT FACILITY
222 EAST JAVELINA
COURTROOM 206
MESA AZ 85210
602-372-1764

IT IS FURTHER ORDERED as follows:

Any motion or stipulation for continuance must be filed with the Court no later than four (4) court days prior to the date set for hearing. After that date, no continuances will be granted except for extraordinary circumstances.

Counsel are advised that if the answering memorandum is not timely filed in accordance with the Arizona Rules of Civil Procedure, oral argument may be vacated and the motion will be ruled upon in accordance with Rule 7.1(b), A.R.C.P.

10:32 a.m. Hearing concludes

E-COURTROOM POLICIES

This is a JAVS courtroom. In the event a record is made, the Court will provide, upon request, CDs and videotapes regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier

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date. Forms to request a recording of the proceeding are available in the Self-Service Center and in the JAVS courtrooms.

A person requesting a daily copy of CD or videotape must complete the appropriate request form and pay the applicable fee to the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD or videotape in the customary manner.

A person wanting a copy of a hearing from a previous occasion must contact Ken Crenshaw at 602-506-7100.

Should a party wish to have a court reporter present for trial, a written request must be received by the Court ten (10) court business days prior to the scheduled hearing.