

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-052755

10/22/2007

HON. PAUL A KATZ

CLERK OF THE COURT
W. Bobrowski
Deputy

CARPEDIEM INVESTMENTS L L C

FREDERICK E DAVIDSON

v.

DESERT MOUNTAIN MASTER
ASSOCIATION, THE, et al.

CURTIS S EKMARK

MARIO F ESCUDERO
10421 E SCOPA TRAIL
SCOTTSDALE AZ 85262
CHAD ROBERT KAFFER
RICHARD V MACK

MATTER UNDER ADVISEMENT

10:32 a.m. This is the time set for Oral Argument on pending motions. Plaintiff is represented by counsel, Frederick E. Davidson and Chad R. Kaffer. Defendant The Desert Mountain Master Association is represented by counsel, Curtis S. Ekmark. Defendants Kenny, Foltz and Realty Executives are represented by counsel, Richard V. Mack. Defendant Mario F. Escudero is neither present nor represented by counsel.

Court Reporter, Kim Hannan, is present.

No response having been received,

IT IS ORDERED granting Plaintiff's Motion for Partial Summary Judgment Re: Mutual Mistake.

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Arguments are heard.

IT IS ORDERED taking Defendants' Kenny, Foltz and Realty Executives, Inc.'s Motion for Summary Judgment under advisement.

IT IS FURTHER ORDERED taking Plaintiff's Motion for Partial Summary Judgment Re: Invalidity of Lot Tie of Lots 363 and 364 under advisement.

11:51 a.m. Hearing concludes.

LATER:

IT IS ORDERED setting Continued Oral Argument on the remaining motions for summary judgment for **October 24, 2007 at 9:30 a.m.** in this division.