

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-090103

10/23/2015

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT
M. Kay
Deputy

TAPESTRY ON CENTRAL L L C, et al.

AARON M FINTER

v.

TAPESTRY ON CENTRAL CONDOMINIUM
ASSOCIATION, et al.

KEVIN P NELSON

UNDER ADVISEMENT RULING

Following up on the Court's ruling of September 11, 2015 and the Court having also considered the Joint Memorandum Regarding Pending Discovery Issues filed September 23, 2015,

IT IS ORDERED affirming the findings, orders and inclinations set forth in the Court's minute entry of September 11, 2015.

Regarding the still pending Plaintiff's Motion for Leave to Depose Cynthia Futter, the Court has again considered Plaintiff's Motion along with the Response in Opposition and the Motion for Sanctions filed by Defendants, Plaintiff's Reply to its Motion for Leave to Depose Cynthia Futter and Response to Defendants' Motion for Sanctions and Defendants' Reply in Support of its Motion for Sanctions.

For the reasons set forth in Plaintiff's Motion and Reply,

IT IS ORDERED granting the Motion for Leave to Depose Cynthia Futter.

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IT IS FURTHER ORDERED directing the parties to cooperate in scheduling the deposition of Cynthia Futter.

IT IS FURTHER ORDERED denying the request for oral argument.

IT IS FURTHER ORDERED denying both parties' requests for attorneys' fees.

IT IS FURTHER ORDERED denying any requests for sanctions.

Counsel for both parties are admonished to avoid further hyperbole and name calling in their memoranda because it serves no useful purpose and does not assist the Court in making a determination of disputed issues.