

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2016-092406

10/18/2016

HONORABLE HUGH HEGYI

CLERK OF THE COURT  
S. LaFontaine  
Deputy

ARIZONA BILTMORE ESTATES VILLAGE  
ASSOCIATION

JONATHAN D EBERTSHAUSER

v.

GARRY J SHUSTER NO 2 FAMILY L L P

TYLER Q SWENSEN

MINUTE ENTRY

The Court has considered Plaintiff's September 22, 2016 Application for Attorneys' Fees and Costs (hereafter referred to as the "Motion", Defendant's October 4, 2016 Objection to Plaintiff's Statement of Costs, and Plaintiff's October 13, 2016 Reply in support of its Motion. Good cause not appearing,

IT IS ORDERED, denying the Motion without prejudice as premature. The Court is unaware of any motion or stipulation to dismiss this action, or to otherwise resolve it. Consequently, the Court is unable to determine at this juncture if there is a "prevailing" party within the meaning of the statutes and CC&R provisions cited by the Plaintiff and, if one exists, which party has prevailed.