

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2018-015165

10/21/2019

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT
K. Cabral
Deputy

NICDON 10663 L L C

JONATHAN A DESSAULES

v.

DESERT MOUNTAIN MASTER
ASSOCIATION

CURTIS S EKMARK

JUDGE VIOLA

CORRECTING MINUTE ENTRY

On the Court's own motion:

IT IS ORDERED correcting the Court's Minute Entry dated July 29, 2019, filed July 31, 2019, with docket code 926, page 2, paragraph 2, so that the paragraph reads as follows:

Each summary judgment motion must be decided independently of the other. *E.g., Arizona Land Title & Trust Co. v. Safeway Stores, Inc.*, 6 Ariz. App. 52, 58, 429 P.2d 686, 692 (App. 1967) ("The well-settled rule is that [c]ross-motions for summary judgment do not warrant the court in granting summary judgment unless one of the moving parties is entitled to judgment as a matter of law upon facts that are not disputed" (citation and internal quotations marks omitted)). Thus, when considering the Defendant's Motion for Summary Judgment, the court is required to view all facts in the light most favorable to the Plaintiff, and when considering the Plaintiff's Motion for Summary Judgment, the court must view all facts in the light most favorable to the Defendant. *See e.g., Airfreight Express Ltd v. Evergreen Air Center, Inc.*, 215 Ariz. 103, 106, ¶¶2, 158 P.3d 232, 235 (App. 2008).

The balance of the Minute Entry shall remain the same.