

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2016-007601

11/02/2018

HON. TERESA SANDERS

CLERK OF THE COURT  
A. Durda  
Deputy

M R & B T TRUST, et al.

PHILIP B WHITAKER

v.

OLIVE GROVE VILLAGE ASSOCIATION INC

JONATHAN D EBERTSHAUSER

JUDGE SANDERS

MINUTE ENTRY

Courtroom ECB 811

9:33 a.m. This is the time set for an Oral Argument regarding Defendant's Motion for Summary Judgment, filed August 3, 2018. Plaintiff, MR & BT Trust, is represented by counsel, Phillip B. Whitaker. Defendant, Olive Grove Village Association Inc., is represented by counsel, Jonathan D. Ebertshauser and Tim Grimm.

A record of the proceedings is made digitally in lieu of a court reporter.

Argument is presented.

**IT IS ORDERED** dismissing Count 2 – “Breach of Contract” from the amended Complaint, filed September 6, 2016.

Further argument is presented.

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Defendant withdraws demand for jury trial.

**IT IS FURTHER ORDERED** dismissing Count 3 – “Receivership” from the amended Complaint, filed September 6, 2016.

For the reasons as stated on the record,

**IT IS FURTHER ORDERED** taking Count 1 – “Declaratory Judgment” under advisement.

10:41 a.m. Matter concludes.