

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-001865

11/12/2024

HONORABLE SCOTT A. BLANEY

CLERK OF THE COURT
P. McKinley
Deputy

VAL VISTA LAKES COMMUNITY
ASSOCIATION, THE

TESSA KNUEPPEL

v.

SUSAN M WELLMAN, et al.

OLEN V LENETS

JOSHUA M BOLEN
JUDGE BLANEY

HEARING

Prior to the commencement of today's proceedings, Plaintiff's exhibits 1 through 16 are marked for identification. Defendant's exhibits 1 through 11 are submitted electronically.

East Court Building – Courtroom 411

9:01 a.m. This is the time set for Evidentiary Hearing combined with Trial on the Merits on Plaintiff's *Motion for Sanctions and Order to Show Cause Re: Contempt*, filed May 21, 2024. Plaintiff The Val Vista Lakes Community Association is represented by Counsel Tessa Knueppel and Joshua M. Bolen. Defendant Susan M. Wellman, who is not present, is represented by Counsel Olen V. Lenets.

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

The Court inquires as to the status of any settlement negotiations.

Discussion is held as to steps forward.

Discussion is also held as to a possible sale of the property.

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Defendant makes an oral motion for summary adjudication.

Argument is presented.

For the reasons stated on the record,

IT IS ORDERED denying Defendant's oral motion for summary adjudication.

Opening statements are presented.

Plaintiff's case:

Jeffrey R. Sloan is sworn and testifies.

Plaintiff's Exhibits 3, 4, 5, 10, 11, 13, 14, 15 and 16 are received in evidence.

9:42 a.m. **LET THE RECORD REFLECT** Defendant Susan M. Wellman is now present.

The witness is excused subject to possible recall.

Plaintiff rests.

Defendant makes an oral Rule 50 Motion for Judgment as a Matter of Law.

Argument is presented.

The Court shares its preliminary analysis.

IT IS ORDERED Defendant shall file her Rule 50 Motion for Judgment as a Matter of Law, limited to ten (10) pages, no later than **November 29, 2024**. Plaintiff's response to Defendant's motion, limited to ten (10) pages, shall be filed no later than **December 6, 2024**. Defendant's reply, limited to five (5) pages, shall be filed **five days** thereafter.

IT IS ORDERED staying this Evidentiary Hearing/Trial on the Merits pending the Court's ruling on Defendant's motion.

10:09 a.m. Matter concludes.