

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2020-015268

12/08/2020

HONORABLE SALLY SCHNEIDER DUNCAN

CLERK OF THE COURT
R. Sheppard
Deputy

DYNAMITE MOUNTAIN RANCH
HOMEOWNERS ASSOCIATION

CHRISTINA N MORGAN

v.

CHELLADURAL FAMILY TRUST, et al.

MARK BAINBRIDGE

JUDGE DUNCAN

MINUTE ENTRY

Courtroom 201 – (OCH)

10:31 a.m. This is the time set for order to show cause return hearing on Plaintiff's Preliminary and permanent Injunction. Plaintiff is represented by counsel, Christina Morgan. Defendants are represented by counsel, Mark Bainbridge.

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

Discussion is held regarding the status of the case.

LET THE RECORD REFLECT that counsel for Plaintiff has requested an evidentiary hearing on the Application for Preliminary and Permanent Injunction.

The Court would like to set a hearing while taking into consideration completion of briefing and the completion of discovery.

Counsel for the Defendant requests a hearing in February given the work on the property has ceased. Counsel asserts that the hearing doesn't need to be expedited.

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Based on the discussion held,

IT IS ORDERED that Defendant shall file a Response to Plaintiff's application no later than **December 21, 2020**.

IT IS FURTHER ORDERED that Plaintiff shall file a Reply no later than **December 21, 2020**.

IT IS FURTHER ORDERED that Exhibits are submitted no later than **January 19th, 2021**. The parties shall provide the Court with a bench copy of all exhibits in a binder ordered as follows. Exhibits shall be marked numerically and consecutively beginning with Plaintiff's exhibits and continuing sequentially with Defendant's exhibits (e.g. Plaintiff's exhibits 1, 2, 3, Defendant's exhibits 4, 5, 6). Do not skip numbers. Numbers will not be skipped or saved in anticipation of additional exhibits not yet submitted. The parties should not reserve exhibit numbers for exhibits to be provided at a later date. Any missing or skipped exhibits shall be designated as "Unused." Additional exhibits, if necessary, may be marked during the course of trial, although the parties are discouraged from waiting until trial to mark additional exhibits.

IT IS FURTHER ORDERED setting an evidentiary hearing on Plaintiff's Application for Preliminary and Permanent Injunction on **February 9, 2021 at 1:30 p.m. (Time allotted: 1 hour)** in this division via **Microsoft Teams** before:

THE HONORABLE SALLY S. DUNCAN
MARICOPA COUNTY SUPERIOR COURT
125 W. WASHINGTON STREET
SUITE 201
PHOENIX, AZ 85003

Counsel and self-represented parties must verify their email address with the Judicial Assistant, Chrystal Castro at Chrystal.Castro@JBAZMC.Maricopa.Gov and also the Court Assistant, Alicia Arreola at Alicia.Arreola@JBAZMC.Maricopa.Gov two weeks prior to their scheduled hearing.

The Court has recently modified appearance policies to reduce the potential exposure to COVID-19 for staff, the Court, lawyers, parties, and members of the public. These modified policies are regularly updated based on public health guidance and can be found at the Court's COVID-19 Website: (<https://superiorcourt.maricopa.gov/communications-office/covid-19/>).

Until further notice, court proceedings will be conducted telephonically or via Microsoft Teams:

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The parties shall appear virtually via Court Connect using Microsoft Teams Meeting. Video appearance (i.e., live use of the camera) is strongly preferred.

[Join Microsoft Teams Meeting
tinyurl.com/jbazmc-cvj06](https://tinyurl.com/jbazmc-cvj06)

To call into the meeting using your phone:
[+1 917-781-4590](tel:+19177814590) United States, New York City (Toll)
Conference ID: 942 024 389#

The Division phone number: 602-506-9042

This is a **1 hour proceeding**. The Court will determine if more time is needed. If there is a failure to appear, the Court may make such orders as are just, including granting the relief requested by the party who does appear.

NOTE: All court proceedings are recorded digitally and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

Should you want an unofficial copy of the proceedings, the parties or counsel may request a CD of the proceedings for a \$20.00 charge. If a CD is requested, please obtain a form from the Self Service Center to request a daily copy of a court hearing or trial proceeding being conducted. Pay the applicable fee at the Self Service Center. **For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100.** Should an official transcript be required, you may request that the Court prepare it. The party ordering the transcript must pay for it. To request a transcript, call 602-506-7100 and provide the date of the proceeding, the case number, the case caption, if the transcript is for an appeal, and your name, address, and telephone number.

The Court will not consider any email communication unless all parties and/or counsel and both members of the Court's staff are copied. All email communication between the Court and the parties and/or counsel are filed into the record. The Judicial Assistant, Chrystal Castro can be reached at Chrystal.Castro@JBAZMC.Maricopa.Gov and the Courtroom Assistant, Alicia Arreola can be reached at Alicia.Arreola@JBAZMC.Maricopa.Gov.

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ALERT: Due to the spread of COVID-19, the Arizona Supreme Court Administrative Order 2020-79 requires all individuals entering a Court facility to wear a mask or face covering at **all times** while they are in the Court facility. With limited exceptions, the Court will not provide masks or face coverings. Therefore, any individual attempting to enter the Court facility must have an appropriate mask or face covering to be allowed entry to the Court facility. Any person who refuses to wear a mask or face covering as directed will be denied entrance to the Court facility or asked to leave. In addition, all individuals entering a Court facility will be subject to a health screening protocol. Any person who does not pass the health screening protocol will be denied entrance to the Court facility.