

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-013330

12/17/2021

HONORABLE JOSEPH P. MIKITISH

CLERK OF THE COURT
E. Wolf
Deputy

GRAYHAWK COMMUNITY ASSOCIATION

CURTIS S EKMARK

v.

MICHAEL BRUCKLIER

MICHAEL BRUCKLIER
21122 N 75TH ST LOT 58
SCOTTSDALE AZ 85255

JUDGE MIKITISH

RULING

Plaintiff's Motion for Judgment on the Pleadings

The Court has received, reviewed, and considered the Plaintiff, Grayhawk Community Association's ("Grayhawk"), Motion for Judgment on the Pleadings, filed October 8, 2021. No response was filed by the Defendant. Grayhawk filed a Motion for Summary Disposition on October 28, 2021.

In its Motion, Grayhawk argues that the Defendant, Michael Brucklier ("Mr. Brucklier"), failed to submit a proper answer and submitted a letter that does not deny any of the critical allegations in the complaint.

Mr. Brucklier filed his answer on October 1, 2021 denying the allegations in the first ten (10) paragraphs of the Complaint, as provided on the form of answer that he utilized. The form indicated that "if you need more space, add an attachment labeled "Civil Answer," and continue consecutive numbering." Mr. Brucklier's answer did not add answers to paragraphs 11 through 21 of the complaint. The form, however, did provide "Defendant's **General Denial**: Defendant denies

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anything stated in the Complaint that Defendant has not specifically admitted, qualified, or denied."

Mr. Brucklier's Answer does provide a narrative at the end. The Court does not interpret the narrative to be an admission to allegations of the Complaint. Therefore, judgment on the pleadings is not appropriate.

Based on the foregoing, and finding no good cause to support the motion,

IT IS ORDERED denying the Plaintiff's Motion for Judgment on the Pleadings.