

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2023-091912

11/30/2023

HONORABLE RODRICK COFFEY

CLERK OF THE COURT
L. Mooney
Deputy

PUEBLO VERDE COMMUNITY
ASSOCIATION

B AUSTIN BAILLIO

v.

ANITA RENEE FLETCHER

ANITA RENEE FLETCHER
16038 W TOHONO DR
GOODYEAR AZ 85338

JOHN P RASMUSSEN
CV ARBITRATION
JUDGE COFFEY

MINUTE ENTRY

The Court has considered Plaintiff's Motion for Judgment on the Pleadings. No response was filed and the deadline for filing a response has expired.

“On a motion for judgment on the pleadings, all of the allegations of the opposing party's pleadings must be accepted as true and the moving party is entitled to judgment only if the position of the opposing party, as stated in its pleadings, clearly entitles the moving party to judgment.” *Wenrich v. Household Fin. Corp.*, 5 Ariz. App. 335, 338 (1967). A Rule 12(c) motion tests the sufficiency of the complaint and should be granted if the complaint fails to state a claim for relief. *Emmett McLoughlin Realty, Inc. v. Pima Cty.*, 203 Ariz. 557, 558 (App. 2002). A motion for judgment on the pleadings is appropriately granted if the complaint fails to set forth a claim for which relief can be granted. *Save Our Valley Ass'n v. Ariz. Corp. Comm'n*, 216 Ariz. 216, 218 (App. 2007).

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2023-091912

11/30/2023

In her answer, Defendant admitted all of the material allegations in Plaintiff's Complaint. Although she objected to the amount of attorneys' fees requested by Plaintiff, that is an issue that the Court decides after reviewing the other party's fee request. The Court will only award what it determines to be reasonable attorneys' fees. For all of those reasons,

IT IS ORDERED granting Plaintiff's Motion for Judgment on the Pleadings. Plaintiff may file an application for attorneys' fees and a proposed form of judgment by no later than December 20, 2023. Defendants may file a response or objection to that application within ten days after it is filed.