

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

LC2024-000143-001 DT

05/28/2024

HONORABLE JULIE A. LAFAVE

CLERK OF THE COURT  
N. Johnson  
Deputy

PALM VALLEY COMMUNITY ASSOCIATION    TREVOR L ASH

v.

CYNTHIA A MCALISTER (001)  
MARK A MCALISTER (001)

WILLIAM R RICHARDSON

COMM. LAFAVE  
REMAND DESK-LCA-CCC  
WHITE TANK JUSTICE COURT

**MINUTE ENTRY**

**White Tank Justice Court Case No. CC2015095536RC**

On May 14, 2024, this Court issued its Ruling in the above referenced matter. Relying on the text of Rule 4.1, Arizona Rules of Civil Procedure, the Ruling vacated the trial court's Judgment. On May 24, 2024, Appellee filed its Motion for Rehearing and requested Oral Argument ("Motion"). Appellee argues the Court made a legal error in relying upon the current version of Rule 4.1, rather than that in effect at the time the lawsuit was filed. Appellee may be correct in that assertion. Therefore, Appellant shall be provided the opportunity to respond prior to any determination. However, oral argument is not necessary to determine which version of the rule applied at the time of the Judgment.

Appellee filed a request for attorneys' fees and costs. As the result of this Motion for Reconsideration my alter the prevailing party on appeal, that motion will be held in abeyance until the issue of reconsideration is resolved.

Accordingly,

**IT IS THEREFORE ORDERED** granting the Motion for Rehearing/Reconsideration. The Court will permit briefing on this issue only.

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**IT IS FURTHER ORDERED** Appellant will have fourteen (14) days from issuance of this Minute Entry to file any response or objection to the Motion. This court will rule on the Motion following the expiration of that deadline. No reply will be permitted.

**IT IS FURTHER ORDERED** denying the request for oral argument as the Motion will be determined as a matter of law for which oral argument would not assist.

NOTICE: LC cases are not under the e-file system. As a result, when a party files a document, the system does not generate a courtesy copy for the Judge. Therefore, you will have to deliver to the Judge a conformed courtesy copy of any filings.