

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

LC2018-000257-001 DT

11/15/2018

HONORABLE PATRICIA ANN STARR

CLERK OF THE COURT

C. Avena
Deputy

DESERT ROSE COMMUNITY ASSOCIATION CHAD M GALLACHER

v.

MICKEY M SLEDGE (001)

MICKEY M SLEDGE
2518 E FRANCISCO DR
PHOENIX AZ 85042

JUDGE STARR
REMAND DESK-LCA-CCC
SOUTH MOUNTAIN JUSTICE COURT

MINUTE ENTRY

Lower Court Case No. CC2016-235679

The Court has received and considered Plaintiff's Application for Amount of Attorney Fees Incurred on Appeal, as well as its Statement of Costs and Notice of Taxation. No responses were filed.

The Court has considered all relevant factors and finds that an award of attorneys' fees is appropriate. *Associated Indemnity Corp. v. Warner*, 143 Ariz. 567 (1985). The Court also finds that Plaintiff is entitled to recovery of attorney's fees pursuant to the applicable CC&Rs. The Court finds the fee affidavit submitted meets the requirements set forth in *Schweiger v. China Doll Rest., Inc.*, 138 Ariz. 183, 188 (1983). Specifically, the affidavit indicates the agreed upon hourly rate, the attorneys providing service, the time spent, and has sufficient detail to enable the court to assess the reasonableness of the time expended.

The Court finds that Plaintiff is entitled to an award of attorney's fees in the amount of \$1,822.50.

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The Court has considered the Statement of Costs, and with one exception, finds Plaintiff is entitled to recovery of costs. The exception is the request for \$144.00 in “Annual Computer Charges.” Plaintiff fails to explain how it is entitled to recovery of an annual expense in relation to this appeal, nor has Plaintiff explained what the “computer charge” encompasses. The Court thus declines to award that amount.

Thus, Plaintiff is entitled to costs in the amount of \$680.66.

Thus,

IT IS ORDERED awarding attorney’s fees in the amount of \$1,822.50.

IT IS FURTHER ORDERED awarding costs in the amount of \$680.66.

IT IS FURTHER ORDERED signing this minute entry as a formal order of the Court.

/s/ Patricia A. Starr

THE HON. PATRICIA A. STARR
JUDGE OF THE SUPERIOR COURT

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