

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

TJ 2013-006921

07/05/2019

HONORABLE DAVID W. GARBARINO

CLERK OF THE COURT
L. Brown
Deputy

PALM VALLEY COMMUNITY ASSOCIATION MARK W WALDRON

v.

OFELIA SERRANO

OFELIA SERRANO
NO ADDRESS ON RECORD

COMM. GARBARINO

MINUTE ENTRY

The Court received and reviewed Plaintiff's Application for Amount of Attorneys' Fees Incurred Post-Judgment, Pre-Garnishment (the "Application"). In a recent reported decision, the Arizona Court of Appeals held that attorneys' fees incurred related to tasks "such as obtaining the debtor's employment information" are only recoverable pursuant to A.R.S. § 12-1598.07(E), which is not applicable at this time in this matter. *Ironwood Commons Cmty. Homeowners Ass'n, Inc. ("Ironwood") v. Randall*, 246 Ariz. 412, ¶ 23, 439 P.3d 1193, 1198 (App. 2019). Plaintiff's argument that *Ironwood* is not applicable unless garnishment proceedings are initiated is not persuasive. Were the Court to accept such an argument, judgment creditors could simply shift the timing of fee applications and initiation of garnishment proceedings to avoid application of *Ironwood*. The Application filed in this case includes time entries for tasks related to judgment debtor's employment. In addition, the Application seeks attorneys' fees for tasks not yet completed. Accordingly,

IT IS ORDERED denying the Application without prejudice to be refiled with the employment-related time entries removed and tasks not yet completed also removed.