

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-006704

11/02/2021

HONORABLE DANIEL G. MARTIN

CLERK OF THE COURT
J. Eaton
Deputy

TOWN OF CAREFREE

BRIAN IMBORNONI

v.

BOULDERS HOMEOWNERS ASSOCIATION, DALE S ZEITLIN
THE, et al.

DAVINA DANA BRESSLER
MICHAEL W WRIGHT
CHRISTOPHER W KRAMER
JUDGE DANIEL MARTIN

MINUTE ENTRY

Pending before the Court are (1) Defendant The Boulders Homeowners Association's (the "Association") October 1, 2021 Motion for Stay of Proceedings, Plaintiff Town of Carefree's (the "Town") October 6, 2021 Response, and the Association's October 18, 2021 Reply, (2) the Association's October 1, 2021 Motion for Preliminary Injunction and Request for Accelerated Hearing, the Town's October 6, 2021 Response, and the Association's October 18, 2021 Reply, (3) the Association's October 1, 2021 Motion for Entry of Partial Final Judgment, the Town's October 6, 2021 Response, and the Association's October 18, 2021 Reply, (4) the Town's October 13, 2021 Notice of Lodging Order for Immediate Possession, and (5) the Town's October 13, 2021 Request for Scheduling Conference.

As to the Association's motions for preliminary injunction and for stay of proceedings, the Court adopts the legal analysis set forth in the Town's October 6, 2021 response. Those motions are denied. As between the Association's proposed partial final judgment and the Town's order for immediate possession, the Court adopts and will enter the Town's proposed form of order.

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Based on the foregoing,

IT IS ORDERED denying the Association's October 1, 2021 Motion for Stay of Proceedings.

IT IS FURTHER ORDERED denying the Association's October 1, 2021 Motion for Preliminary Injunction and Request for Accelerated Hearing.

IT IS FURTHER ORDERED adopting the Town's October 13, 2021 proposed form of Order for Immediate Possession. The Court will enter the order electronically.

As to the Town's October 13, 2021 Request for Scheduling Conference,

IT IS ORDERED setting this matter for a scheduling conference on **November 17, 2021, at 8:30 a.m.** (time allotted: 15 minutes). The parties shall call 602-506-9695 or toll free 1-855-506-9695 (participant collaboration code 101760) five minutes prior to the scheduled hearing.

NOTE: All court proceedings are made digitally in lieu of a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.