

**IN THE SUPERIOR COURT
MOHAVE COUNTY, STATE OF ARIZONA**

**HONORABLE LEE F. JANTZEN
DIVISION: IV COURTROOM: 201
DIGITALLY RECORDED**

**CHRISTINA SPURLOCK, CLERK OF SUPERIOR COURT
HEATHER G., DEPUTY CLERK
HEARING DATE: SEPTEMBER 16, 2022**

<p>NANCY KNIGHT,</p> <p style="text-align: right;">Plaintiff,</p> <p>vs.</p> <p>GLEN LUDWIG, DONNA M. ROBERTS, JAMES B. ROBERTS, MEHDI AZARMI, PEARLE A. LUDWIG, FAIRWAY CONTRACTORS INC.,</p> <p style="text-align: right;">Defendant(s).</p>	}	<p>CASE NO: CV-2018-04003</p> <p>HEARING – ORAL ARGUMENT</p> <p>START: 9:40 A.M.</p>
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APPEARING VIA ZOOM: Jeffrey Coughlin, Attorney for the Plaintiff; and Daniel Oehler, Attorney for the Defendants.

This is the time set for a Hearing - Oral Argument on the Motion to Dismiss.

Mr. Oehler presents argument in favor of the Motion to Dismiss; advises the actions of the Plaintiff were inappropriate based on the improper documents being sent out by the Plaintiff and the CC&Rs should be revoked.

Mr. Coughlin present argument against the Motion to Dismiss; advises the Plaintiff sent out letters to keep the CC&Rs in place and requests the Court deny the Motion to Dismiss.

Mr. Oehler notes the Plaintiff is in the wrong and is trying to enforce these matters when she has violations herself.

Mr. Coughlin notes the Plaintiffs intention was to rebut a malicious letter that was sent to an unknown number of lot owners by a nonparty to this action and the intentions of the Plaintiff were not intended to be malicious.

The Court states its findings for the record; does not find the actions of the Plaintiff to be malicious nor cause to dismiss this matter.

IT IS ORDERED denying the Motion to Dismiss.

Discussion ensues regarding how to proceed with the joining of the Parties.

The Court states its findings for the record.

IT IS ORDERED that Ms. Knight shall not be involved in the service of the Parties needing joined, nor shall the Plaintiff, Ms. Knight, directly or indirectly have contact with the Parties involved.

The Court advises the Notices agreed upon need to be sent out by certified mail, and Mr. Coughlin in accordance with the Courts ruling can send out those packets.

Discussion ensues regarding length of time needed to accomplish the Notices being sent out.

Mr. Oehler states the Clerk of the Superior Court should designate the case a high-profile case and the documents made public.

Mr. Coughlin has no objection.

IT IS ORDERED designating this case a high-profile case and allowing new parties to have unrestricted access to all the documents involved in this case.

The Parties are directed to agree upon and send a copy of the Notices to be sent out to the Court no later than Friday, September 30, 2022.

The Clerk is directed to notify the Party responsible for designating this case high-profile, so the public may access all document involved.

The Court recesses at 10:38 a.m.

Mohave County Superior Court is utilizing a Digital Evidence Portal (CaseLines) for the storage and presentation of evidence. If any party wishes to have exhibits marked to be used as evidence in a hearing, they must contact the Clerk's Office by emailing MohaveDE@courts.az.gov to obtain the link to upload and review their exhibits.

Parties who are not familiar with CaseLines are encouraged to email the Clerk's office at MohaveDE@courts.az.gov for questions about submission and presentation of evidence.

cc:

JEFFERY COUGHLIN *
Attorney for the Plaintiff

DANIEL OEHLER *
Attorney for the Defendants

HONORABLE LEE F. JANTZEN *
Division IV