

CLERK OF THE  
SUPERIOR COURT  
FILED  
G. FARLER, DEP

25 JAN 28 PM 12: 24

1 KRISTIN K. MAYES  
2 Attorney General  
3 Firm State Bar No. 14000

4 Lynette Evans (No. 021069)  
5 Assistant Attorney General  
6 2005 N. Central Ave.  
7 Phoenix, Arizona 85004  
8 Telephone: (602) 542-7701  
9 E-mail: [adminlaw@azag.gov](mailto:adminlaw@azag.gov)  
10 *Attorney for the Arizona Department of Real Estate*

11 **BEFORE THE MARICOPA COUNTY SUPERIOR COURT**  
12 **OF THE STATE OF ARIZONA**

13 **AZNH REVOCABLE TRUST,**  
14 by and through  
15 **JOHN AND SUSAN SULLIVAN,**  
16 **TRUSTEES, REAL PARTIES IN**  
17 **INTEREST**

18 Plaintiff/Appellant

19 vs.

20 **ARIZONA DEPARTMENT OF REAL**  
21 **ESTATE,**

22 Defendant/Appellee

23 **SUNLAND SPRINGS VILLAGE**  
24 **HOMEOWNERS ASSOCIATION,**

25 Defendant/Appellee

Case No: LC2025-000025 -01

**NOTICE OF APPEARANCE AS**  
**NOMINAL PARTY**

**(Assigned to The Honorable**  
**Joseph P. Mikitish)**

26 Defendant, the Arizona Department of Real Estate ("Department"), hereby notifies this Court that it will take a passive or nominal role in this judicial review of the administrative

1 decision. *See MVC Constr., Inc. v. Treadway*, 182 Ariz 615, 620 (App. 1995). The Department  
2 seeks to avoid a potential adverse attorneys' fees award pursuant to A.R.S. § 12-348(H)(4). *See*  
3 *Cortaro Water Users Ass'n v. Steiner*, 148 Ariz. 314, 318 (1986).

4 The circumstances underlying this appeal do not warrant the Department's active  
5 participation and the Department perceives no significant or compelling reason to interject  
6 itself into the current litigation as an advocate. For these reasons the Department will continue  
7 to be a nominal party in these proceedings and take a passive role even though it is a named  
8 defendant.

9 The Department waives its appearance at all future oral arguments, conferences and  
10 hearings, but requests that it continue to receive copies of all pleadings, notices, minute entries  
11 and orders.

12  
13 RESPECTFULLY SUBMITTED this 28th day of January, 2025.

14  
15 KRISTIN K. MAYES  
16 Attorney General

17  
18 /s/ Lynette Evans  
19 Lynette Evans, Assistant Attorney General  
20 Attorney for Arizona Department of Real Estate  
21  
22  
23  
24  
25  
26

1 **ORIGINAL** of the foregoing filed  
2 this 28th day of January, 2025, with:

3 Clerk of the Court  
4 Maricopa County Superior Court  
5 201 W. Jefferson St.  
6 Phoenix, AZ 85003

7 **Courtesy copy hand-delivered**  
8 **this same date to:**

9 Hon. Joseph P. Mikitish  
10 Old Court House  
11 Lower Level/ Div. 001  
12 Phoenix, AZ 85003

13 **COPY** of the foregoing e-mailed  
14 this same date to:

15 AZNH Revocable Trust,  
16 John Sullivan  
17 [info@sullivanappeals.com](mailto:info@sullivanappeals.com)  
18 *Appellant*

19 Mandy Neat, Deputy Commissioner  
20 Liz Recchia, Assistant Commissioner for Regulatory Affairs  
21 Vivian Nunez, Legal Assistant  
22 Arizona Department of Real Estate  
23 [mneat@azre.gov](mailto:mneat@azre.gov)  
24 [lrecchia@azre.gov](mailto:lrecchia@azre.gov)  
25 [vnunez@azre.gov](mailto:vnunez@azre.gov)

26 /s/ S. Hack \_\_\_\_\_