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9 *Attorneys for Defendant*

10
11 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
12 **IN AND FOR THE COUNTY OF MARICOPA**

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

17 Plaintiffs,

18 v.

19 SUNLAND SPRINGS VILLAGE
20 HOMEOWNERS ASSOCIATION,

21 Defendant.

Case No. CV2023-096192

JOINT REPORT

(Tier 2 Case)

(Assigned to the Honorable Rodrick Coffey)

22 The parties signing below certify that they have conferred in good faith, either in
23 person or by telephone as required by Rule 7.1(h), about the matters set forth in
24 Rule 16(b)(2) and (c)(3), and that this case is not subject to the mandatory arbitration
25 provisions of Rule 72. With regard to matters upon which the parties could not agree,
26 they have set forth their positions separately in item 13 below. The parties are
27 submitting a Proposed Scheduling Order with this Joint Report. Each date in the Joint
28 Report and in the Proposed Scheduling Order includes a calendar month, day, and year.

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1 **Optional Summary of Rule 16(b) Early Meeting:** None

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3 1. **Brief description of the case:** Declaratory Judgment for Statutory
4 Interpretation of A.R.S. § 33-1804.

5 * If a claimant is seeking other than monetary damages, specify the relief sought:
6 Declaratory Judgment for Statutory Interpretation of Planned Communities Open
7 Meeting Requirements and Homeowner Rights.

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9 2. **Current case status:** Every defendant has been served or dismissed: Yes.

10 * Every party who has not been defaulted has filed a responsive pleading: Yes.

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12 3. **Amendments:** A party anticipates filing an amendment to a pleading that
13 will add a new party to the case: No.

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15 4. **Settlement:** The parties agree to engage in settlement discussions with a
16 settlement judge assigned by the court, or a private mediator: No.

17 * If the parties will not engage in a settlement conference or private mediation, state the
18 reason(s): Action calls for Declaratory Judgment of Planned Communities Open
19 Meeting Requirements and Homeowner Rights.

20
21 5. **Readiness:** This case will be ready for trial by January 17, 2025.

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23 6. **Jury:** There is no right to a trial by jury as this case involves a question of
24 law – the legal interpretation of a statute, A.R.S. § 33-1804.

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26 7. **Length of trial:** The estimated length of trial is one-half (1/2) day.

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28 8. **Summary jury:** The parties agree to a summary jury trial: No.

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9. **Preference:** This case is entitled to a preference for trial pursuant to the following statute or rule: ARCP 57 allows Court to Order a Speedy Hearing of a Declaratory Judgment Action.

10. **Special requirements:** At a pretrial conference or at trial, a party will require disability accommodations or interpreter: No.

11. **Scheduling conference:** The parties request a Rule 16(d) scheduling conference: No.

12. **Other matters:** Other matters that the parties wish to bring to the court's attention that may affect management of this case: None at this time.

13. **Items upon which the parties do not agree:** The parties certify that they were unable in good faith to agree upon the following items, and the position of each party as to each item is as follows: None at this time.

Dated this 23rd day of February, 2024.

FREEMAN MATHIS & GARY, LLP

By: /s/ Megan E. Ritenour
Lisa M. Lampkin
Megan E. Ritenour
*Attorneys for Defendant Sunland
Springs Village Homeowners
Association*

and

/s/ John F. Sullivan (w/permission)
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ORIGINAL of the foregoing e-filed
this 23rd day February, 2024.

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

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By: /s/ Deanne Gibeault