

**Court of Appeals, Division One
State of Arizona**

<p>Filer Information</p> <p>Name: <u>Chad M. Gallacher, Esq.</u></p> <p>Address: <u>4854 E. Baseline Rd., Ste. 104</u></p> <p>City, State, Zip Code: <u>Mesa, AZ 85206</u></p> <p>Telephone: <u>(480) 833-1001</u></p> <p>Email: <u>mail@hoalaw.biz</u></p> <p><input type="checkbox"/> I am self-represented (if checked, skip attorney info below)</p> <p>Attorney for: <u>Sunland Springs Village HOA</u></p> <p>Law firm name: <u>Maxwell & Morgan</u></p> <p>State Bar number: <u>025487</u></p>	<p><i>For Court Use Only</i></p>
<p>Appellant/Petitioner <i>(party who filed the appeal)</i>:</p> <p>AZNH REVOCABLE TRUST, by and through John and Susan Sullivan, Trustees, Real Parties in Interest, Appellant/Cross-Appellee</p>	<p>Court of Appeals case number:</p> <p>1 CA-CV 25-0424</p>
<p>Appellee/Respondent <i>(party responding to the appeal)</i>:</p> <p>SUNLAND SPRINGS VILLAGE HOMEOWNERS ASSOCIATION, Appellee/Cross-Appellant</p>	<p>Court/agency appealed from:</p> <p>Maricopa County Superior Court</p> <p>Case number(s):</p> <p>CV2023-096192</p>
<p>Case Management Statement</p>	

File this form and a separate Certificate of Service in the Arizona Court of Appeals, Division One through TurboCourt.com or by mailing/delivering to 1501 W. Washington, Suite 203, Phoenix, AZ 85007. Give a copy of your completed form to every other party in this appeal.

For more information, see Arizona Rule of Civil Appellate Procedure 12(d).

Case Management Statement

(Attach additional sheets, if necessary, up to a total of 10 pages including this form.)

1. On what date did you file the notice of cross-appeal? 5/30/2025

2. What is the date of the ruling you are appealing? 4/17/2025

a. Is the ruling signed?

Yes No

b. For a civil or probate case, does the ruling have Civil Rule 54(b) or (c) language?

Yes No

c. For a family case, does the ruling have Family Law Rule 78(b) or (c) language?

Yes No

3. What is the basis for appellate jurisdiction? *(Check all that apply. If you are not sure, check other and say why.)*

Final judgment [A.R.S. § 12-2101(A)(1)]

Special order made after final judgment [A.R.S. § 12-2101(A)(2)]

Order ruling on a motion for new trial [A.R.S. § 12-2101(A)(5)(a)]

Order concerning an injunction or receivership [A.R.S. § 12-2101(A)(5)(b)]

Order in an estate, trust, guardianship, or conservatorship proceeding [A.R.S. § 12-2101(A)(9)]

Order concerning an arbitration proceeding or award [A.R.S. § 12-2101.01]

Ruling entered in an action to review an administrative agency decision [A.R.S. § 12-913]

Ruling entered in a forcible entry and detainer action [A.R.S. § 12-1182]

Other *(specify statute and explain)*: _____

4. Did any other party file a notice of appeal or notice of cross-appeal?

Yes No

If yes, fill in the table.

Party Name	Date Notice of Appeal / Cross-Appeal Filed
AZNH Revocable Trust	5/11/2025

5. Did any party file a timely motion for (1) judgment as a matter of law; (2) additional or amended findings; (3) an altered or amended judgment; (4) new trial; or (5) relief from judgment?

Yes No

If yes, fill in the table.

Name of Motion	Date Filed	Ruling Date

6. List all the parties in the case from the superior court. If a party had an attorney, include the attorney's name. (*Attach additional sheets, if necessary.*)

Party Name	Attorney
AZNH Revocable Trust	John F. Sullivan, Bar No. 023018
Sunland Springs Village HOA	Megan Ritenour, Bar No. 034677

7. If any party listed in #6 is **not** a party to this appeal, explain why not. (*Attach additional sheets, if necessary.*)

Party Name	Explanation

8. List all claims made by all parties in the superior court and how each claim was resolved. (*Attach additional sheets, if necessary.*)

Plaintiff, AZNH Revocable Trust, claimed that Defendant, Sunland Springs Village Homeowners Association, failed to comply with the open meeting requirements of A.R.S. 33-1804 by providing inadequate notice of the topics to be covered in executive session meetings and by voting on executive session matters in Executive session. Defendant did not bring a counterclaim with any affirmative claims.

The Superior Court entered a Judgment finding that Defendant fully complied with the notice requirements for executive session meeting under A.R.S. 33-1804, but that the Defendant failed to comply with A.R.S. 33-1804 by voting on executive session matters in executive session.

9. What issues do you plan to raise in this appeal? (*Attach additional sheets, if necessary.*)

Issue #1	The Superior Court erred by holding that "all voting or formal actions by [the] Board of Directors must occur in open meetings."
Issue #2	
Issue #3	
Issue # 4	

10. You are responsible for ordering transcripts of any hearing or proceeding that you plan to rely on for your appellate argument. *See* ARCAP 11 and 11.1.

When will the transcripts be completed? (*Attach additional sheets, if necessary.*)

Hearing or Proceeding Date	Expected Transcript Completion Date

If you have not ordered transcripts, why not:

Plaintiff AZNH Revocable Trust ordered a Transcript of the hearing and filed it in this matter on May 11, 2025.

11. Are there other appeals, special actions, or petitions for review that involve the same superior court case, parties, events, or transactions as this appeal?

Yes No

If yes, fill in the table.

Case Name	Court and Case Number

Contact Information - Filing Party

(For a joint statement from multiple appellants, list additional appellants on a separate sheet).

Name of Party: Sunland Springs Village Homeowners Association

Counsel: Chad M. Gallacher, Esq.

Address: 4854 E. Baseline Rd., Ste. 104

Mesa, AZ 85206

Email address: mail@hoalaw.biz

Telephone: (480) 833-1001

Check one: Appellant Cross-Appellant Appellee

Contact Information – Other Party (*List additional counsel/parties on separate sheet*).

Name of Party: AZNH Revocable Trust

Counsel: John F. Sullivan, Esq. (Bar No. 023018)

Address: 1909 E. Ray Rd., Ste. 9798
Chandler, AZ 85225

Email address: info@sullivanappeals.com

Telephone: (480) 818-5070

/s/Chad M. Gallacher

Signature

Chad M. Gallacher, Esq.

Printed Name

6/25/2025

Date

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Contact Information – Other Party (*List additional counsel/parties on separate sheet*).

Name of Party: Sunland Springs Village Homeowners Association

Counsel: Megan Ritenour, Esq. (Bar No. 034677)

Address: 6720 N. Scottsdale Rd., Ste. 310
Scottsdale, AZ 85253

Email address: megan.ritenour@fmglaw.com

Telephone: (602) 805-9564

/s/Chad M. Gallacher

Signature

Chad M. Gallacher, Esq.

Printed Name

6/25/2025

Date

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