

Atty. JOHN SULLIVAN
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Attorney for Plaintiff

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

AZNH REVOCABLE TRUST,
by and through
JOHN and SUSAN SULLIVAN,
TRUSTEES, REAL PARTIES IN
INTEREST

Plaintiff

v.

KAY ABRAMSOHN,
ADMINISTRATIVE LAW JUDGE,
ARIZONA OFFICE OF
ADMINISTRATIVE HEARINGS,
et al.,

Defendants

No. CV2025-036466

**PLAINTIFF'S
MOTION
FOR COURT ORDER
TO ADD A DEFENDANT
[RPSA 5(a)(2)]**

(Original Special Action)

Assigned to:
Hon. Scott Blaney

1

1 NOW COMES THE PLAINTIFF (“Trust”), pursuant to Rule 5(a)(2) of Rules of Procedure
2 for Special Actions (“RPSA”) and requests this Honorable Court issue an ORDER to make
3 Susan Nicholson, Commissioner of the Arizona Department of Real Estate, a DEFENDANT in
4 the above-captioned matter so that the Court can afford complete relief.

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1 RPSA 5(a)(2) provides, in pertinent part:

2 The complaint in an original special action must name as a defendant the body,
3 officer, or person whose decision is being challenged. It must also name as
4 defendants all other parties in whose absence the court cannot afford complete
5 relief. If a body, officer, or person required to be made a party has not been
6 joined, the court must order that the body, officer, or person be made a
7 defendant.
8

9 The Arizona Dept. of Real Estate (“ADRE”) is currently named a Defendant, but the
10 Attorney General has asserted, by motion, that the ADRE should be dismissed as a non-jural
11 entity. The Trust has opposed the dismissal and asserted that the ADRE is a nominal party. See
12 earlier filings by both parties which are pending.

13 The Complaint requests, among other relief:

14 Order that this matter is remanded to the Office of Administrative Hearings or
15 the Arizona Department of Real Estate for both, an evidentiary hearing as
16 previously Ordered by the Court on April 17, 2025, in LC2025-000025, and a
17 rehearing as Ordered by the Arizona Department of Real Estate on June 27,
18 2025.

19 Complaint p.6, lines 12-15.
20

21 The Trust believes that the ADRE would resist such relief on the basis of being a non-jural
22 entity.

23 Adding the Commissioner of ADRE (in place of the ADRE) as a Defendant would ensure
24 that the Court can afford complete relief.

25 The Trust respectfully requests the Court ORDER:

- 26 1. That the Commissioner of the Arizona Department of Real Estate be named a
27 DEFENDANT in place of the Arizona Department of Real Estate; and,
- 28 2. Grant such other and further relief as justice requires.

Dated this 26th day of December, 2025.

/s/ John F. Sullivan

John F. Sullivan, Esq. (Bar # 023018)
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CERTIFICATE of SERVICE

A copy hereof shall be sent via the Court's electronic filing and delivery system this date, to:

Asst. Attorney General Deanie Reh (counsel for Az. Dept. of Real Estate) at
Deanie.Reh@azag.gov;

Asst. Attorney General Raya Gardner (counsel for Az. Dept. of Real Estate) at
Raya.Gardner@azag.gov; and,

Asst. Attorney General Kara Karlson (counsel for Defendant's Eigenheer & Abramsohn) at
Kara.Karlson@azag.gov.

A courtesy copy shall be sent to:

Atty. Chad Gallacher (counsel for Sunland Springs Village Homeowners Assoc.) at
cgallacher@hoalaw.biz.

/s/ John F. Sullivan

Counsel for AZNH Revocable Trust