

Atty. JOHN SULLIVAN  
1909 E. Ray Rd., Suite 9198  
Chandler, Arizona 85225  
(480) 818-5070  
Bar No. 023018  
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.

**SUSAN NICOLSON,  
COMMISSIONER,  
ARIZONA DEPARTMENT OF  
REAL ESTATE**

**and**

**TAMMY EIGENHEER,  
INTERIM DIRECTOR,  
ARIZONA OFFICE OF  
ADMINISTRATIVE HEARINGS**

**and**

**SUNLAND SPRINGS VILLAGE  
HOMEOWNERS ASSOCIATION,**

Defendants

No. CV2026-008484

**Plaintiff's Reply to  
Commissioner Susan Nicolson's  
Notice of  
Local Rule 3.1 Related Cases**

1 **Susan Nicolson (Commissioner) Has Waived Formal Service**

2 On Thursday, Feb. 26, 2026, this Court issued an Order to Show Cause with a Return date  
3 eleven (11) days later – March 9, 2026.

4 On Friday, Feb. 27, 2026, Plaintiff’s counsel sent an email to: Commissioner of the Dept. of  
5 Real Estate (Susan Nicolson); Asst. Attorney General Deanie Reh; and, Asst. Attorney General  
6 Raya Gardner. **Exhibit A.**

7 The above-referenced email states:

8  
9 Good afternoon.

10 Please see the attached:

- 11  
12  
13 1. Order to Appear (on March 9, 2026) issued yesterday;  
14 2. Summons;  
15 3. Complaint;  
16 4. Cert. of Compulsory Arbitration; and,  
17 5. Motion for Show Cause Hearing.  
18

19 In light of the short notice by the Court, this email is the most expedient method of  
20 giving timely notice and comply with the Order to Appear.  
21

22 If you object to this informal notice, please let me know immediately, and I shall  
23 arrange formal service.  
24

25 Thank you for your understanding.

26 Respectfully,  
27 John F. Sullivan  
28 Attorney at Law  
29

30 The same email was sent to Asst. AG’s Kara Karlson & Kyle Cummings who have previously  
31 represented the Interim Director of the Arizona Office of Administrative Hearings (a Defendant  
32 herein). **Exhibit B.** Counsel did not receive a response to the above emails of any kind.

33 Yesterday, March 4, 2026, at about 4:57 p.m., Asst. AG’s Reh and Gardner electronically  
34 delivered to counsel a purported, “Notice of Local Rule 3.1 Related Cases” (“Notice”) and  
35 identified themselves as: “Attorneys for the Arizona Department of Real Estate (“ADRE”) and

1 *the Real Estate Commissioner, Susan Nicolson.*” (Italics in original.) Therein, it is apparent that  
2 they received counsel’s February 27<sup>th</sup> email.

3 “The appearance of the defendants has the same effect as a timely and valid service of  
4 process. A party has made a general appearance when he has taken any action, other than  
5 objecting to personal jurisdiction, that recognizes the case is pending in court.” *McMahan v.*  
6 *Grasshopper Trans. Inc.*, 577 P.3d 468, 473, ¶23 (Div. 1, 2025) (cleaned up).

7  
8 **Sunland Springs Village Homeowners Association**

9 All the documents identified in the above-referenced email of February 27<sup>th</sup> were hand-  
10 delivered to a Director of the corporation (Sunland Springs Village Homeowners Assoc.) on  
11 March 1, 2026.

12  
13 **No Apparent Purpose Other Than Harass or Annoy**

14 Local Rule 3.1 (Maricopa County Superior Court) permits a party in a civil action to file a  
15 Motion to Consolidate or Transfer related, pending cases to a single court. The rule is not a  
16 vehicle for counsel to submit a history of past or present litigation between the same or third  
17 parties in wholly unrelated transactions or occurrences. And, the Asst. AG misrepresents to this  
18 Court that the other cases “provide an overview of the history of this matter.” Notice, p.2, lines  
19 9-10.

20 The Asst. AG’s listed matters: 24F-H047-REL; LC2025-000025; 24F-H047-RHG; LC2025-  
21 000397; and, CV2025-036466, all spring from a single event in 2024, and, because of the legal  
22 issues related thereto, there have been multiple proceedings. (All of which have no relation to  
23 the current case.) If the Asst. AG believes that any of those matters are (or were) frivolous or  
24 brought in bad faith, they should say so and support their reasoning with accurate facts, not  
25 inuendo.

1       Moreover, the Asst. AG’s “brief chronicle of events” is not reliable. As one example, they  
2 tell this Court that the Superior Court (Mikitish, J.) Ordered that an “Evidentiary Hearing” be  
3 held, but the Asst. AG neglects to state that the Administrative Law Judge (“ALJ”) openly  
4 refused to conduct an evidentiary hearing because (according to the ALJ) the Commissioner of  
5 ADRE did not Order the ALJ to do so. And, the Commissioner subsequently refused to issue  
6 such Order to the ALJ. Those events, by themselves, led to otherwise unnecessary litigation.

7       The other two matters identified in the AG’s so called, “brief chronicle of events” are fully  
8 described in the Special Action Complaint in this Court. The Asst. AG has not identified any  
9 impropriety by Plaintiff or Plaintiff’s counsel in those matters.

10       Although Plaintiff is not seeking Rule 11 sanctions, there is only one purpose which can be  
11 ascertained from the Asst. AG’s Notice filing, i.e., *give this court an unfavorable view of*  
12 *counsel and the Plaintiff*. That is an improper purpose which does nothing to advance the merits  
13 of the case; advocate for their client; or, assist this Court in reaching a just result.

14       For reasons which are neither apparent nor explained, the Asst. AG’s have sent their Notice  
15 to the Hon. Scott Blaney and the Hon. Jillian Francis.<sup>1</sup> Plaintiff suggests this is further evidence  
16 of an improper purpose – to sully reputations by portraying Plaintiff and Plaintiff’s counsel in a  
17 false light. As a matter of prudence, Plaintiff shall send this reply to Judge Blaney and Judge  
18 Mikitish.

19       Plaintiffs have no quarrel with the Commissioner or the ADRE in the traditional sense. A  
20 fraud has been perpetrated upon the Commissioner, and the Plaintiff has presented well-  
21 grounded facts to support that allegation. One would think the Attorney General’s Office would  
22 have some concern about that, and want to learn more about the facts through their own  
23 investigation with Plaintiff’s cooperation.

24 //

25 //

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<sup>1</sup> Plaintiff’s counsel believes this is an error and Judge Mikitish is/was the intended recipient.

Respectfully submitted,

Dated this 5<sup>th</sup> day of March, 2026.

/s/ John F. Sullivan

John F. Sullivan, Esq. (Bar # 023018)

Attorney for Plaintiff

1909 E. Ray Rd.

Suite 9198

Chandler, AZ. 85225

480-818-5070

email: Info@SullivanAppeals.com

### **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;

Asst. Attorney General Kara Karlson (counsel for Tammy Eigenheer, Interim Director, Arizona Office of Administrative Hearings) at Kara.Karlson@azag.gov; and,

Asst. Attorney General Kyle Cummings (counsel for Tammy Eigenheer, Interim Director, Arizona Office of Administrative Hearings) at Kyle.Cummings@azag.gov.

A courtesy copy shall be sent to Atty. Chad Gallacher (the last known attorney for Sunland Springs Village Homeowners Association) at cgallacher@hoalaw.biz.

Copy sent also to the Judicial Assistants of:

Hon. Adele Ponce (cvj06@jbazmc.maricopa.gov)

Hon. Scott Blaney (Briana.Burdick@jbazmc.maricopa.gov)

Hon. Joseph Mikitish (joel.grajeda@jbazmc.maricopa.gov)

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## Order to Appear March 9th, Complaint & Summons (Maricopa County Superior Court CV2026-008484)

1 message

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John Sullivan <info@sullivanappeals.com>

Fri, Feb 27, 2026 at 2:49 PM

To: "Reh, Deanie" <Deanie.Reh@azag.gov>, Raya Gardner <Raya.Gardner@azag.gov>

Cc: SNicolson@azre.gov

Bcc: John Sullivan <info@sullivanappeals.com>

Good afternoon.

Please see the attached:

1. Order to Appear (on March 9, 2026) issued yesterday;
2. Summons;
3. Complaint;
4. Cert. of Compulsory Arbitration; and,
5. Motion for Show Cause Hearing.

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If you object to this informal notice, please let me know immediately, and I shall arrange formal service.

Thank you for your understanding.

Respectfully,

John F. Sullivan

Attorney at Law

1909 East Ray Road, Suite 9198


Chandler, AZ 85225

480-818-5070

Fax 480-210-8328

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### 5 attachments

 **Motion for Order to Show Cause-.pdf**  
119K

 **Cert Compulsory Arbitration-.pdf**  
121K

 **Complaint-.pdf**  
3402K

 **Summons ADRE-.pdf**  
153K

 **CV2026-008484 OTA .pdf**  
182K



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## Order to Appear March 9th, Complaint & Summons (Maricopa Superior Court CV2026-008484)

1 message

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John Sullivan <info@sullivanappeals.com>

Fri, Feb 27, 2026 at 2:44 PM

To: Kara.Karlson@azag.gov, "Cummings, Kyle" <Kyle.Cummings@azag.gov>

Bcc: John Sullivan <info@sullivanappeals.com>

Good afternoon.

Please see the attached:

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Respectfully,

John F. Sullivan

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**Complaint-.pdf**

 3402K

 **Motion for Order to Show Cause-.pdf**  
119K