

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2025-007913

05/02/2025

HONORABLE RODRICK COFFEY

CLERK OF THE COURT
N. Johnson
Deputy

JOHN BALLARD, et al.

JOHN BALLARD
8565 N FARVIEW DR
SCOTTSDALE AZ 85258

v.

CARRIAGE SQUARE AT GAINNEY VILLAGE
HOMEOWNERS ASSOCIATION, et al.

CARRIAGE SQUARE AT GAINNEY
VILLAGE HOMEOWNERS
ASSOCIATION
17220 N BOSWELL BLVD STE 140
SUN CITY AZ 85373

CLAUDIA BALLARD
8565 N FARVIEW DR
SCOTTSDALE AZ 85258
COLBY MANAGEMENT INC
17220 N BOSWELL BLVD STE 140
SUN CITY AZ 85373
JACOB A KUBERT
MICHAEL R ROSS
JUDGE COFFEY

**ORAL ARGUMENT SET
MINUTE ENTRY**

East Court Building – Courtroom 511

3:34 p.m. This is the time set for a telephonic return hearing regarding Plaintiffs' Application for an Order to Show Cause, filed April 17, 2025. Plaintiffs, John Ballard and Claudia

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Ballard, are represented by counsel, Jacob A. Kubert. Defendants, Tyler Chapman and Mary K. Chapman, are present and are represented by counsel, Michael R. Ross. No other party is present or represented. The parties are present telephonically.

A record of the proceedings is made digitally in lieu of a court reporter.

LET THE RECORD REFLECT that no one is present on behalf of Defendant, Carriage Square At Gainey Village Homeowners Association.

Mr. Kubert advises the Court that Defendants were recently served and retained counsel, and that the parties have not conferred. Mr. Kubert further advises the Court that Defendant, Carriage Square At Gainey Village Homeowners Association has been served.

Discussion is held regarding the status of the case with respect to the construction and the issues outlined in Plaintiffs' Application for an Order to Show Cause, filed April 17, 2025 and Plaintiffs' Memorandum in Support of Their Application for Temporary Restraining Order and Preliminary Injunction, filed April 17, 2025.

For the reasons stated on the record,

IT IS ORDERED setting a telephonic Oral Argument regarding Plaintiffs' Application for Temporary Restraining Order on **May 9, 2025 at 10:00 a.m. (30 minutes allotted)** in this division. The Court encourages the parties to confer.

Oral argument is limited to 30 minutes, with the time divided equally between the parties. Counsel and the parties, if representing themselves, are to **appear telephonically** before:

**THE HONORABLE RODRICK J. COFFEY
MARICOPA COUNTY SUPERIOR COURT
EAST COURT BUILDING
5TH FLOOR, COURTROOM 511
101 W. JEFFERSON STREET
PHOENIX, AZ 85003
PHONE: (602) 372-1783**

IT IS FURTHER ORDERED that counsel for Plaintiff(s) shall initiate the telephonic conference by first arranging the presence of all other counsel or self-represented parties on the conference call and by calling this division at 602-372-1783 promptly at the scheduled time. All parties appearing telephonically must be joined in a single conference call and be prepared to hold until called upon.

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The parties/attorneys are advised that failure to appear telephonically for the hearing may result in sanctions, including dismissal of the action per Rule 16(F), Arizona Rules of Civil Procedure.

NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

PLEASE NOTE: This division requires that all motions, responses, replies and other Court-requested filings in this case must be submitted individually. Counsel shall not combine any motion with a responsive pleading. All motions are to be filed separately and designated as such. No pleadings will be accepted if filed in combination with another.

3:44 p.m. Matter concludes.

The Arizona Constitution requires the Arizona Commission on Judicial Performance Review to conduct performance evaluations of superior court judges. The Commission is asking for your help to evaluate Maricopa County Superior Court judges currently undergoing performance review. After your hearing, if the judge you are in front of is undergoing review, a survey will either be given to you by court staff or will be emailed to you and you can take the survey online. The survey is conducted by the Docking Institute of Public Affairs at Fort Hays State University and is anonymous and confidential. Your participation in the review process is important! More information on Judicial Performance Review can be found at azjudges.info.

La Constitución de Arizona exige que la Comisión de la Evaluación del Desempeño Judicial realice evaluaciones de desempeño de los jueces de los tribunales superiores. La comisión pide su ayuda para evaluar a los jueces del Tribunal Superior del Condado de Maricopa a quienes actualmente se les está evaluando su desempeño. Después de su audiencia, si el juez frente a usted está siendo revisado, el personal de la corte le entregará una encuesta o se le enviará por correo electrónico y usted puede realizar la encuesta en línea. La encuesta es realizada por el Docking Institute of Public Affairs de la Fort Hays State University y se mantiene anónima y confidencial. ¡Su participación en el proceso de la evaluación es importante! Para obtener más información sobre la evaluación del desempeño judicial, diríjase a azjudges.info.