

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2025-007913

10/07/2025

HONORABLE DAVID MCDOWELL

CLERK OF THE COURT
A. Smith
Deputy

JOHN BALLARD, et al.

JACOB A KUBERT

v.

CARRIAGE SQUARE AT GAINNEY VILLAGE
HOMEOWNERS ASSOCIATION, et al.

WM MICHAEL YOHLER

COLBY MANAGEMENT INC
17220 N BOSWELL BLVD STE 140
SUN CITY AZ 85373
JUDGE MCDOWELL

RULING

Pending before the Court is the August 15, 2025 *Plaintiff's Motion to Strike Untimely Answer filed by Defendant Carriage Square At Gainey Village Homeowners' Association*. No response has been filed and the time for filing a response has passed.

Default occurred in May 2025. More than two months later Defendant filed its answer without seeking to set aside the default. The answer was improperly filed. As of the date of this Ruling, Defendant still has not sought to set aside the default.

IT IS ORDERED granting Plaintiff's August 15, 2025 *Motion*.

IT IS ORDERED striking the Answer filed by Carriage Square At Gainey Village Homeowners' Association on August 11, 2025 and declaring that Answer to be of no effect.