

EXHIBIT 1



Jonathan A. Dessaules

Direct Line: 602.274.2360
jdessaules@dessauleslaw.com

June 10, 2016

VIA FIRST CLASS MAIL

Chad P. Miesen
CARPENTER HAZLEWOOD, DELGADO & BOLEN, PC
1400 E. Southern Avenue, Suite 400
Tempe, AZ 85282

Re: *Bocchino v. Fountain Shadows HOA*
Case No.: CV2015-012434

Dear Chad:

We are sending this settlement offer to try to resolve this matter before the Court issues a ruling on our motion for summary judgment.

Our client is owed \$3,887.28. We have also incurred attorneys' fees and costs, to date, of nearly \$25,000. In the interest of compromise, we would be willing to accept the sum of \$23,887.28, which represents \$3,887.28 in principal plus \$20,000 to settle legal fees and costs.

If these terms are acceptable, please let us know in writing by June 15, 2016 so we can notify the Court of the settlement.

Sincerely,

Jonathan A. Dessaules

Jonathan A. Dessaules

EXHIBIT 2

From: Charlene Cruz Charlene.Cruz@carpenterhazlewood.com

Subject: RE: Fountain Shadows (Bocchino)

Date: June 17, 2016 at 9:36 AM

To: Jon Dessaulles jdessaules@dessauleslaw.com

Cc: Chad Miesen chad.miesen@carpenterhazlewood.com, Vicki J. Goslin Vicki.Goslin@carpenterhazlewood.com, Ashley Hill ahill@dessauleslaw.com

CC

The Association is offering \$5,000 total.



CARPENTER HAZLEWOOD

Charlene Cruz, Esq.

Direct Line: 480-427-2882

Charlene.Cruz@carpenterhazlewood.com

CARPENTER, HAZLEWOOD, DELGADO & BOLEN, PLC

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From: Jon Dessaulles [mailto:jdessaules@dessauleslaw.com]

Sent: Thursday, June 16, 2016 5:09 PM

To: Charlene Cruz

Cc: Chad Miesen; Vicki J. Goslin; Ashley Hill

Subject: Re: Fountain Shadows (Bocchino)

Just so we're clear, you're offering Ms. Bocchino approximately \$1,000 in attorneys' fees/court costs?

JONATHAN A. DESSAULES



5353 North 16th Street, Suite 110
Phoenix, Arizona 85016
602.274.5400 tel.
602.274.2360 direct
602.274.5401 fax
jdessaules@dessauleslaw.com

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On Jun 16, 2016, at 4:04 PM, Charlene Cruz
<Charlene.Cruz@carpenterhazlewood.com> wrote:

Jonathan:

The board reviewed and rejects your client's June 10 offer to settle for \$23,887.28. The board authorized us to offer \$5000 to settle. In light of the judge's indication that he would not likely award all of Ms. Bocchino's legal fees, this is reasonable and potentially more than she would be ultimately be awarded.

[<image002.jpg>](#)

Charlene Cruz, Esq.

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Charlene.Cruz@carpenterhazlewood.com

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[<image003.jpg>](#)

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EXHIBIT 3



Jonathan A. Dessaules

Direct Line: 602.274.2360
jdessaules@dessauleslaw.com

July 28, 2016

VIA ELECTRONIC MAIL AND FIRST CLASS MAIL

Chad P. Miesen
CARPENTER HAZLEWOOD, DELGADO & BOLEN, PC
1400 E. Southern Avenue, Suite 400
Tempe, AZ 85282

Re: *Bocchino v. Fountain Shadows HOA*
Case No.: CV2015-012434

Dear Chad:

Plaintiff's legal fees and costs presently total \$23,455.00 and \$452.50, respectively. When we factor in additional time relating to the preparation and submission of the fee application and reply, we estimate that our fees will exceed \$25,000.

After the Court encouraged us at oral argument to attempt to resolve this matter in good faith, we unilaterally offered to reduce our fees and costs to \$20,000 in order to resolve this matter before the Court had to issue its ruling. Your office countered with a total offer (inclusive of principal, fees, and costs) of \$5,000. When one backs out the \$3,887.28 that Ms. Bocchino is owed and the \$452.50 in costs, the reality is that you offered just \$660.22 in legal fees.

In furtherance of the Court's direction that we undertake good faith efforts to negotiate a stipulation with the Association on the amounts to be awarded, we propose to reduce our legal fees to \$22,000, so that the final judgment in this matter would award Ms. Bocchino as follows: \$3,887.28 in principal, \$22,000 in legal fees, and \$452.50 in costs. This represents a unilateral reduction of our legal fees of nearly 10%. Although we believe that all of our fees in this matter were reasonable and necessary, we are offering this reduction solely in the hopes of avoiding further litigation before entry of the final judgment. As the Court noted in its minute entry, such a stipulation will not preclude the Association from raising

any issue or asserting any argument on appeal other than the reasonableness of the amounts awarded.

We ask that you advise us no later than August 5, 2016 whether you will stipulate to the amounts of fees and costs to be awarded.

Sincerely,

Jonathan A. Dessaulles

Jonathan A. Dessaulles

EXHIBIT 4

From: Charlene Cruz Charlene.Cruz@carpenterhazlewood.com
Subject: RE: Bocchino v. FSHOA
Date: August 15, 2016 at 12:50 PM
To: Jon Dessaulles jdessaules@dessaulleslaw.com
Cc: Jenna Pitchel jpitchel@dessaulleslaw.com, Ashley Hill ahill@dessaulleslaw.com, Vicki J. Goslin Vicki.Goslin@carpenterhazlewood.com



Jonathan:

The board has considered and rejected your client's offer to settle for a total of \$26,339.78, which includes \$3,887.28 in principal sum, \$22,000 in fees and \$452.50 in costs. The court's order directs your client to undertake good faith efforts to negotiate amounts to be awarded. However, her current offer is over \$2400 more than the offer she made the month prior.

The board offers to settle for \$15,000 total for the principal sum and her legal fees and costs. Please let us know if this is acceptable for your client.



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Charlene Cruz, Esq.

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From: Jon Dessaulles [mailto:jdessaules@dessaulleslaw.com]

Sent: Friday, August 05, 2016 1:20 PM

To: Charlene Cruz

Cc: Jenna Pitchel; Ashley Hill; Vicki J. Goslin

Subject: Re: Bocchino v. FSHOA

That's fine

Chad Miesen, Esq.

Direct Line: 480-427-2860

chad.miesen@carpenterhazlewood.com

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From: Jenna Pitchel [<mailto:jpitchel@desauleslaw.com>]

Sent: Thursday, July 28, 2016 10:17 AM

To: Chad Miesen

Cc: Jon Dessaules; Ashley Hill

Subject: Bocchino v. FSHOA

Mr. Miesen,

Please see the attached correspondence.

EXHIBIT 5

From: Jon Dessaules jdessaules@dessauleslaw.com
Subject: Re: Bocchino v. FSHOA
Date: August 18, 2016 at 8:34 PM
To: Charlene Cruz Charlene.Cruz@carpenterhazlewood.com
Cc: Jenna Pitchel jpitchel@dessauleslaw.com, Ashley Hill ahill@dessauleslaw.com, Vicki J. Goslin Vicki.Goslin@carpenterhazlewood.com



Charlene:

Sorry, I've been in trial all week.

You are correct that our current offer is greater than our previous offer. We have incurred significant attorneys' fees litigating an issue that we should not have had to litigate. We are confident that the Court will agree that the association's position in this case was entirely baseless. We could start with the fact that you initially offered less than \$600 in attorneys' fees to settle this dispute last month. While I appreciate your willingness to increase your offer in light of the adverse ruling, the fact remains that these are fees that have been incurred. While our offer may be greater than our previous offer, it still represents a significant reduction of our legal fees.

Notwithstanding the above, we would be willing to accept for a total \$22,000.00 if we can get this wrapped up by next Wednesday. When one subtracts out the \$3,887.28 and the \$452.50 in costs, this represents legal fees of \$17,660.22 — a reduction of approximately \$6,000.

Our deadline to file our fee application is next Friday, so we need to know by Wednesday.

JONATHAN A. DESSAULES



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On Aug 15, 2016, at 12:50 PM, Charlene Cruz <Charlene.Cruz@carpenterhazlewood.com> wrote:

Jonathan:

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The board offers to settle for \$15,000 total for the principal sum and her legal fees and costs. Please let us know if this is acceptable for your client.

<image005.jpg>

Charlene Cruz, Esq.

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<image006.jpg>

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From: Jon Dessaulles [<mailto:jdessaules@dessauleslaw.com>]

Sent: Friday, August 05, 2016 1:20 PM

To: Charlene Cruz

Cc: Jenna Pitchel; Ashley Hill; Vicki J. Goslin

Subject: Re: Bocchino v. FSHOA

That's fine.

Jonathan A. Dessaulles

Dessaules Law Group

<tel:602.274.2360>

On Aug 5, 2016, at 12:09 PM, Charlene Cruz <Charlene.Cruz@carpenterhazlewood.com> wrote:

Jonathan:

Can the Association have an extension to respond to your settlement offer? The Board is in the process of making a decision.

Thank you.

<image005.jpg>

Charlene Cruz, Esq.

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From: Chad Miesen

Sent: Thursday, July 28, 2016 10:39 AM

To: 'Jenna Pitchel'

Cc: Jon Dessaulles; Ashley Hill; Charlene Cruz; Vicki J. Goslin

Subject: RE: Bocchino v. FSHOA

Thank you. We will get back with you.



Chad Miesen, Esq.

Direct Line: 480-427-2860

chad.miesen@carpenterhazlewood.com

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To: Chad Miesen
Cc: Jon Dessaulles; Ashley Hill
Subject: Bocchino v. FSHOA

Mr. Miesen,
Please see the attached correspondence.

EXHIBIT 6

From: Charlene Cruz Charlene.Cruz@carpenterhazlewood.com
Subject: RE: Bocchino v. FSHOA
Date: August 22, 2016 at 11:12 AM
To: Jon Dessaules jdessaules@dessauleslaw.com
Cc: Jenna Pitchel jpitchel@dessauleslaw.com, Ashley Hill ahill@dessauleslaw.com, Vicki J. Goslin Vicki.Goslin@carpenterhazlewood.com



Jonathan:

The board has reviewed and rejected your client's offer to settle for \$22,000. They are willing to accept the judge's determination on the reasonableness of your legal fees.

Thank you.



CARPENTER HAZLEWOOD

Charlene Cruz, Esq.

Direct Line: 480-427-2882

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From: Jon Dessaules [mailto:jdessaules@dessauleslaw.com]

Sent: Thursday, August 18, 2016 8:35 PM

To: Charlene Cruz

Cc: Jenna Pitchel; Ashley Hill; Vicki J. Goslin

Subject: Re: Bocchino v. FSHOA

Charlene:

Sorry I've been in trial all week

You are correct that our current offer is greater than our previous offer. We have incurred significant attorneys' fees litigating an issue that we should not have had to litigate. We are confident that the Court will agree that the association's position in this case was entirely baseless. We could start with the fact that you initially offered less than \$600 in attorneys' fees to settle this dispute last month. While I appreciate your willingness to increase your offer in light of the adverse ruling, the fact remains that these are fees that have been incurred. While our offer may be greater than our previous offer, it still represents a significant reduction of our legal fees.

Notwithstanding the above, we would be willing to accept for a total \$22,000.00 if we can get this wrapped up by next Wednesday. When one subtracts out the \$3,887.28 and the \$452.50 in costs, this represents legal fees of \$17,660.22 — a reduction of approximately \$6,000.

Our deadline to file our fee application is next Friday, so we need to know by Wednesday.

JONATHAN A. DESSAULES



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Phoenix, Arizona 85016
602.274.5400 tel.
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[<image005.jpg>](#)

Charlene Cruz, Esq.

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Subject: Re: Bocchino v. FSHOA

That's fine.

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Jonathan:

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Thank you.

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Cc: Jon Dessaulles; Ashley Hill; Charlene Cruz; Vicki J. Goslin

Subject: RE: Bocchino v. FSHOA

Thank you. We will get back with you.

Chad Miesen, Esq.

Direct Line: 480-427-2860

chad.miesen@carpenterhazlewood.com

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Mr. Miesen,
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EXHIBIT 7

From: Jon Dessaules jdessaules@dessauleslaw.com
Subject: Re: Bocchino v. FSHOA
Date: August 23, 2016 at 5:36 PM
To: Charlene Cruz Charlene.Cruz@carpenterhazlewood.com
Cc: Jenna Pitchel jpitchel@dessauleslaw.com, Ashley Hill ahill@dessauleslaw.com, Vicki J. Goslin Vicki.Goslin@carpenterhazlewood.com



I understand. As a final offer of compromise, we would be willing to settle for the lump sum of \$20,000, payable as follows: \$3,887.28 on the principal amount, \$452.50 for costs, and \$15,660.22 for legal fees.

We will be preparing our fee application, so time is of the essence.

JONATHAN A. DESSAULES



5353 North 16th Street, Suite 110
Phoenix, Arizona 85016
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602.274.5401 fax
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Jonathan:

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<[image001.jpg](#)>

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Jonathan:

The board has considered and rejected your client's offer to settle for a total of \$26,339.78, which includes \$3,887.28 in principal sum, \$22,000 in fees and \$452.50 in costs. The court's order directs your client to undertake good faith efforts to negotiate amounts to be awarded. However, her current offer is over \$2400 more than the offer she made the month prior.

The board offers to settle for \$15,000 total for the principal sum and her legal fees and costs. Please let us know if this is acceptable for your client.

<[image005.jpg](#)>

Charlene Cruz, Esq.

Direct Line: 480-427-2882

Charlene.Cruz@carpenterhazlewood.com

CARPENTER, HAZLEWOOD, DELGADO & BOLEN, PLC

Phoenix, 480-427-2800, 1400 East Southern Ave, Suite 400, Tempe, Arizona 85282

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www.carpenterhazlewood.com

<[image006.jpg](#)>

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From: Jon Dessaules [<mailto:jdessaules@dessauleslaw.com>]

Sent: Friday, August 05, 2016 1:20 PM
To: Charlene Cruz
Cc: Jenna Pitchel; Ashley Hill; Vicki J. Goslin
Subject: Re: Bocchino v. FSHOA

That's fine.

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Dessaules Law Group
<tel:602.274.2360>

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From: Chad Miesen

Sent: Thursday, July 28, 2016 10:39 AM

To: 'Jenna Pitchel'

Cc: Jon Dessaulles; Ashley Hill; Charlene Cruz; Vicki J. Goslin

Subject: RE: Bocchino v. FSHOA

Thank you. We will get back with you.

Chad Miesen, Esq.

Direct Line: 480-427-2860

chad.miesen@carpenterhazlewood.com

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From: Jenna Pitchel [<mailto:jpitchel@dessaulslaw.com>]

Sent: Thursday, July 28, 2016 10:17 AM

To: Chad Miesen

Cc: Jon Dessaulles; Ashley Hill

Subject: Bocchino v. FSHOA

Mr. Miesen,
Please see the attached correspondence.

EXHIBIT 8

From: Charlene Cruz Charlene.Cruz@carpenterhazlewood.com
Subject: RE: Bocchino v. FSHOA
Date: August 24, 2016 at 9:51 AM
To: Jon Dessaules jdessaules@dessauleslaw.com
Cc: Jenna Pitchel jpitchel@dessauleslaw.com, Ashley Hill ahill@dessauleslaw.com, Vicki J. Goslin Vicki.Goslin@carpenterhazlewood.com



I will forward this to the Board for review and get back to you as soon as I receive their decision.



CARPENTER HAZLEWOOD

Charlene Cruz, Esq.

Direct Line: 480-427-2882

Charlene.Cruz@carpenterhazlewood.com

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Sent: Tuesday, August 23, 2016 5:36 PM

To: Charlene Cruz

Cc: Jenna Pitchel; Ashley Hill; Vicki J. Goslin

Subject: Re: Bocchino v. FSHOA

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We will be preparing our fee application, so time is of the essence.

JONATHAN A. DESSAULES





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The board has reviewed and rejected your client's offer to settle for \$22,000. They are willing to accept the judge's determination on the reasonableness of your legal fees.

Thank you.

<[image001.jpg](#)>

Charlene Cruz, Esq.

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Subject: Re: Bocchino v. FSHOA

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Notwithstanding the above, we would be willing to accept for a total \$22,000.00 if we can get this wrapped up by next Wednesday. When one subtracts out the \$3,887.28 and the \$452.50 in costs, this represents legal fees of \$17,660.22 — a reduction of approximately \$6,000.

Our deadline to file our fee application is next Friday, so we need to know by Wednesday.

Jonathan A. Dessaulles

<image003.jpg>

5353 North 16th Street, Suite 110

Phoenix, Arizona 85016

602.274.5400 tel.

602.274.2360 direct

602.274.5401 fax

jdessaules@dessauleslaw.com

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<[image005.jpg](#)>

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Sent: Friday, August 05, 2016 1:20 PM

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Cc: Jenna Pitchel; Ashley Hill; Vicki J. Goslin
Subject: Re: Bocchino v. FSHOA

That's fine.

Jonathan A. Dessauls
Dessaules Law Group
<tel:602.274.2360>

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<Charlene.Cruz@carpenterhazlewood.com> wrote:

Jonathan:
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Thank you.

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Sent: Thursday, July 28, 2016 10:39 AM
To: 'Jenna Pitchel'

Cc: Jon Dessaulles; Ashley Hill; Charlene Cruz; Vicki J. Goslin
Subject: RE: Bocchino v. FSHOA

Thank you. We will get back with you.

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Sent: Thursday, July 28, 2016 10:17 AM

To: Chad Miesen

Cc: Jon Dessaulles; Ashley Hill

Subject: Bocchino v. FSHOA

Mr. Miesen,

Please see the attached correspondence.

EXHIBIT 9

From: Jon Dessaules jdessaules@dessauleslaw.com
Subject: Re: Bocchino v. FSHOA
Date: August 25, 2016 at 6:40 PM
To: Charlene Cruz Charlene.Cruz@carpenterhazlewood.com
Cc: Jenna Pitchel jpitchel@dessauleslaw.com, Ashley Hill ahill@dessauleslaw.com, Vicki J. Goslin Vicki.Goslin@carpenterhazlewood.com



Thanks.

Also, do we at least have an agreement regarding our costs of \$452.50? I'd prefer, if possible, to stipulate at least as to that amount.

JONATHAN A. DESSAULES



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<[image006.jpg](#)>

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<[image007.jpg](#)>

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We will be preparing our fee application, so time is of the essence.

JONATHAN A. DESSAULES

<image005.jpg>

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[<image001.jpg>](#)

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wcunicsuay.

Jonathan A. Dessauls

<image003.jpg>

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From: Jon Dessaulles jdessaules@dessauleslaw.com
Subject: Re: Bocchino v. FSHOA
Date: August 26, 2016 at 9:27 AM
To: Charlene Cruz Charlene.Cruz@carpenterhazlewood.com
Cc: Jenna Pitchel jpitchel@dessauleslaw.com, Ashley Hill ahill@dessauleslaw.com, Vicki J. Goslin Vicki.Goslin@carpenterhazlewood.com



Correction:

It looks like our taxable costs are \$450.10. Sorry for the confusion.

JONATHAN A. DESSAULES



5353 North 16th Street, Suite 110
Phoenix, Arizona 85016
602.274.5400 tel.
602.274.2360 direct
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<dessaules logo.jpg>

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602.274.5401 fax
jdessaules@dessauleslaw.com

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On Aug 24, 2016, at 9:50 AM, Charlene Cruz <Charlene.Cruz@carpenterhazlewood.com> wrote:

I will forward this to the Board for review and get back to you as soon as I receive their decision.

<[image006.jpg](#)>

Charlene Cruz, Esq.

Direct Line: 480-427-2882

Charlene.Cruz@carpenterhazlewood.com

CARPENTER, HAZLEWOOD, DELGADO & BOLEN, PLC

Phoenix, 480-427-2800, 1400 East Southern Ave, Suite 400, Tempe, Arizona 85282

Tucson, 520-744-9480, 333 North Wilmot Rd, Suite 180, Tucson, Arizona 85711

Prescott, 928-443-0775, 1550 Plaza West Dr, Prescott, Arizona 86303

www.carpenterhazlewood.com

<[image007.jpg](#)>

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From: Jon Dessaules [<mailto:jdessaules@dessauleslaw.com>]

Sent: Tuesday, August 23, 2016 5:36 PM

To: Charlene Cruz

Cc: Jenna Pitchel; Ashley Hill; Vicki J. Goslin

Subject: Re: Bocchino v. FSHOA

I understand. As a final offer of compromise, we would be willing to settle for the lump sum of \$20,000, payable as follows: \$3,887.28 on the principal amount, \$452.50 for costs, and \$15,660.22 for legal fees.

We will be preparing our fee application, so time is of the essence.

JONATHAN A. DESSAULES

<[image005.jpg](#)>

5353 North 16th Street, Suite 110

Phoenix, Arizona 85016

602.274.5400 tel.

602.274.2360 direct

602.274.5401 fax

jdessaules@dessauleslaw.com

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On Aug 22, 2016, at 11:12 AM, Charlene Cruz
<Charlene.Cruz@carpenterhazlewood.com> wrote:

Jonathan:

The board has reviewed and rejected your client's offer to settle for \$22,000. They are willing to accept the judge's determination on the reasonableness of your legal fees.

Thank you.

<[image001.jpg](#)>

Charlene Cruz, Esq.

Direct Line: 480-427-2882

Charlene.Cruz@carpenterhazlewood.com

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<[image002.jpg](#)>

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From: Jon Dessauls [<mailto:jdessauls@dessauls.com>]

Sent: Thursday, August 18, 2016 8:35 PM

To: Charlene Cruz
Cc: Jenna Pitchel; Ashley Hill; Vicki J. Goslin
Subject: Re: Bocchino v. FSHOA

Charlene:

Sorry, I've been in trial all week.

You are correct that our current offer is greater than our previous offer. We have incurred significant attorneys' fees litigating an issue that we should not have had to litigate. We are confident that the Court will agree that the association's position in this case was entirely baseless. We could start with the fact that you initially offered less than \$600 in attorneys' fees to settle this dispute last month. While I appreciate your willingness to increase your offer in light of the adverse ruling, the fact remains that these are fees that have been incurred. While our offer may be greater than our previous offer, it still represents a significant reduction of our legal fees.

Notwithstanding the above, we would be willing to accept for a total \$22,000.00 if we can get this wrapped up by next Wednesday. When one subtracts out the \$3,887.28 and the \$452.50 in costs, this represents legal fees of \$17,660.22 — a reduction of approximately \$6,000.

Our deadline to file our fee application is next Friday, so we need to know by Wednesday.

Jonathan A. Dessaulles

<image003.jpg>

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602.274.2360 direct
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jdessaulles@dessauleslaw.com

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On Aug 15, 2016, at 12:50 PM, Charlene Cruz
<Charlene.Cruz@carpenterhazlewood.com> wrote:

Jonathan:

The board has considered and rejected your client's offer to settle for a total of \$26,339.78, which includes \$3,887.28 in principal sum, \$22,000 in fees and \$452.50 in costs. The court's order directs your client to undertake good faith efforts to negotiate amounts to be awarded. However, her current offer is over \$2400 more than the offer she made the month prior.

The board offers to settle for \$15,000 total for the principal sum and her legal fees and costs. Please let us know if this is acceptable for your client.

<[image005.jpg](#)>

Charlene Cruz, Esq.

Direct Line: 480-427-2882

Charlene.Cruz@carpenterhazlewood.com

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<[image006.jpg](#)>

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From: Jon Dessaulles [<mailto:jdessaulles@dessaulleslaw.com>]

Sent: Friday, August 05, 2016 1:20 PM

To: Charlene Cruz

Cc: Jenna Pitchel; Ashley Hill; Vicki J. Goslin

Subject: Re: Bocchino v. FSHOA

That's fine.

Jonathan A. Dessaulles
Dessaules Law Group
<tel:602.274.2360>

On Aug 5, 2016, at 12:09 PM, Charlene Cruz
<Charlene.Cruz@carpenterhazlewood.com> wrote:

Jonathan:
Can the Association have an extension to
respond to your settlement offer? The Board is
in the process of making a decision.
Thank you.

<[image005.jpg](#)>

Charlene Cruz, Esq.
Direct Line: 480-427-2882
Charlene.Cruz@carpenterhazlewood.com

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<[image006.jpg](#)>

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that purpose.

From: Chad Miesen
Sent: Thursday, July 28, 2016 10:39 AM
To: 'Jenna Pitchel'
Cc: Jon Dessaulles; Ashley Hill; Charlene Cruz; Vicki J. Goslin
Subject: RE: Bocchino v. FSHOA

Thank you. We will get back with you.

Chad Miesen, Esq.

Direct Line: 480-427-2860

chad.miesen@carpenterhazlewood.com

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PLC**

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that purpose.

From: Jenna Pitchel [<mailto:jpitchel@desauleslaw.com>]

Sent: Thursday, July 28, 2016 10:17 AM

To: Chad Miesen

Cc: Jon Dessaules; Ashley Hill

Subject: Bocchino v. FSHOA

Mr. Miesen,

Please see the attached correspondence.

EXHIBIT 10

1 **Carpenter, Hazlewood, Delgado & Bolen, PLC**
Attorneys at Law
2 1400 E. Southern Avenue, Suite 400
Tempe, Arizona 85282
3 t 480.991.6949 | f 480.991.7040
minuteentries@carpenterhazlewood.com
4 Chad P. Miesen 024910
Charlene Cruz 026692
FOUNTSHAD.0025.1

5 *Attorneys for Defendant Fountain Shadows
Homeowners Association*

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

8 PATRICIA BOCCHINO,

9 Plaintiff,

10 v.

11 FOUNTAIN SHADOWS HOMEOWNERS
12 ASSOCIATION,

13 Defendant.

Case No. CV2015-012434

**DEFENDANT'S RESPONSE TO
PLAINTIFF'S FIRST REQUEST FOR
ADMISSIONS**

14 Defendant, Fountain Shadows Homeowners Association, ("the Association"), by and
15 through its attorneys undersigned, for its response to Plaintiff's First Request For Admissions to
16 Defendant Fountain Shadows Homeowners Association, states:

17 **Requests for Admissions**

18 1. Admit that the attorneys' fees assessed against Plaintiffs account were not
19 incurred enforcing the collection of amounts due under the Declaration.

20 ADMIT X DENY _____

21 2. Admit that the attorneys' fees assessed against Plaintiff's account were not
22 incurred in connection with any lien provided for in the Declaration.

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ADMIT _____ DENY X

3. Admit that the attorneys' fees assessed against Plaintiff's account were not incurred in connection with the foreclosure of any lien provided for in the Declaration.

ADMIT X DENY _____

4. Admit that the attorneys' fees assessed against Plaintiff's account were not incurred enforcing compliance with the term and conditions of the Declaration.

ADMIT _____ DENY X

5. Admit that the attorneys' fees assessed against Plaintiff's account were not incurred enforcing specific performance with the term and conditions of the Declaration.

ADMIT _____ DENY X

6. Admit that you did not request an award of attorneys' fees in connection with the Injunction Against Harassment you filed against Plaintiff.


ADMIT X DENY _____

7. Admit that you were not awarded attorneys' fees in connection with the Injunction Against Harassment you filed against Plaintiff.

ADMIT X DENY _____

DATED this 25th day of January, 2016.

CARPENTER, HAZLEWOOD, DELGADO & BOLEN, PLC

By: 
Chad P. Miesen #024910
Charlene Cruz #026692
1400 E. Southern Avenue, Suite 400
Tempe, Arizona 85282
Attorneys for Fountain Shadows Homeowners Association

1 **CERTIFICATE OF SERVICE:**

2 ORIGINAL of the foregoing mailed
3 this 25th day of January, 2016, to:

4 Jonathan A. Dessauls
5 DESSAULES LAW GROUP
6 25353 North 16th Street, Suite 110
7 Phoenix, Arizona 85016
8 Email: jdessaules@dessauleslaw.com

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By:  _____