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6 *Attorneys for Plaintiff*

7 IN THE SUPERIOR COURT OF ARIZONA  
8 COUNTY OF MARICOPA

9 PATRICIA BOCCHINO,

Plaintiff,

11 vs.

12 FOUNTAIN SHADOWS HOMEOWNERS  
ASSOCIATION,

13 Defendant.

No. Case No. CV2015-012434

Court of Appeals Case No: 1 CA-CV 16-0710

**MOTION TO SUPPLEMENT RECORD**

15 Plaintiff/Appellee Patricia Bocchino hereby moves to supplement the record pursuant to  
16 Rule 11(g)(1)(B) of the Arizona Rules of Civil Appellate Procedure. Specifically, Bocchino  
17 requests that the Court supplement the record to include the documents attached hereto as  
18 Exhibit A that Defendant previously submitted at the Court's direction in advance of the June 7,  
19 2016 oral argument.

20 The record does not include the unredacted invoices that the Court instructed Defendant  
21 to submit on May 20, 2016. Redacted copies of the invoices were attached as Exhibit 4 to  
22 Plaintiff's Statement of Facts in Support of Motion for Summary Judgment.<sup>1</sup> At the Court's

23 \_\_\_\_\_  
24 <sup>1</sup> Invoices are ordinarily not protected under the attorney-client privilege. *City Pages v.*  
25 *State*, 655 N.W.2d 839, 844 (Minn. Ct. App. 2003) (internal citations omitted) (holding that, to  
26 the extent that they reveal general descriptions of the nature of the services performed and do  
not reveal the subject of confidential communications with any specificity, attorney billing  
records are not protected by the attorney-client privilege). Moreover, there is nothing in the  
billing entries that disclose privileged communications.

1 direction, Defendant emailed the requested documents to the Court. A copy of the email and  
2 invoices that Defendant submitted to the Court are attached hereto as Exhibit A.

3 Prior to filing this motion, Plaintiff requested that Defendant stipulate to this request  
4 pursuant to Rule 11(g)(1)(A). Defendant declined, contending that the unredacted billing  
5 records were not relevant to the issue it raised on appeal. However, Rule 11(g)(1) expressly  
6 provides that “[i]f anything material to *either* party is omitted from or misstated in the record by  
7 error or accident, the omission or misstatement may be corrected and a supplemental record may  
8 be certified and forwarded...” Because the billing records are material to Bocchino, Plaintiff  
9 requests that the Court certify and forward the omitted unredacted attorney billing statements so  
10 that the Court of Appeals may have the opportunity to consider them as part of the record.

11 DATED this 2nd day of March 2017.

12 DESSAULES LAW GROUP

13  
14 By: /s/ Ashley C. Hill  
Jonathan A. Dessaules  
Ashley C. Hill  
15 *Attorneys for Plaintiff*  
16

17 COPY of the foregoing mailed/emailed  
18 this 2nd day of March to:

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24 /s/ Hilary Narveson  
25  
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