

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-015763

04/03/2020

HONORABLE DAVID W. GARBARINO

CLERK OF THE COURT
D. Henderson
Deputy

COTTONFLOWER GOODYEAR
COMMUNITY ASSOCIATION INC

BETH MULCAHY

v.

MALIK BEY, et al.

MALIK BEY
2267 S 173RD DR
GOODYEAR AZ 85338

ANNE E. NELSON
DOLORES WALLACE
500 N ESTRELLA PKWY STE 23/489
GOODYEAR AZ 85338
COMM. GARBARINO

MINUTE ENTRY

Courtroom 813 – East Court Building.

9:58 a.m. This is the time set for a telephonic Status Conference. Defendant-Intervenor United States is represented by counsel, Anne Nelson appearing telephonically, along with co-counsel, Charles Butler, from the Tax Division, who also appears telephonically. No other parties appear.

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

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Discussion is held regarding Defendant-Intervenor United States' Request for Order Setting New Date for Service by Publication and the pending Applications for Release of Excess proceeds.

Based on the matters presented,

IT IS ORDERED granting United States' request Order Setting New Date for Service by Publication.

10:04 a.m. Matter Concludes.

LATER:

Before the Court is the United States' request for an Order setting a new date with respect to service by publication of its Application for Release of Excess Proceeds, along with the Court's Order of April 29, 2019, on Defendants Magic Asset Management Trust and Titanium International Investments Trust, pursuant to Ariz. R. Civ. P. 4.2(f). Having considered the United States' request, and for good cause shown, the Court hereby ORDERS that:

1. The United States' request is GRANTED;
2. The United States shall publish in the Arizona Republic and the Arizona Capitol Times a notice describing its Application for Release of Excess Proceeds, and the Court's Order of April 29, 2019, and stating that any party that wishes to respond to the application must do so by June 1, 2020. The notice must run in these publications at least once a week for four consecutive weeks;
3. In addition, the United States shall attempt personal service at any potential address which has been discovered since the Court entered on October 7, 2019; and
4. The United States shall file with the Court a certification of publication upon completion of the requirements of paragraphs 2 and 3 above.

The Court attempted to enter this order in e-file, but the United States had not properly lodged a proposed order with its moving papers in Word that the Court could enter in e-file. The United States should be aware that for the Court to be able to enter orders in e-file, it must lodge proposed orders with its moving papers in Word.