

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2019-015684

04/01/2022

HONORABLE JAMES D. SMITH

CLERK OF THE COURT

K. Treftz

Deputy

EDET EFFIONG ASUQUO

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1701 W TUCKEY LN # 201
PHOENIX AZ 85015

v.

LA FUENTE CONDOMINIUM ASSOCIATION

JONATHAN S WALLACK

JUDGE J. SMITH

MINUTE ENTRY

The Court received Plaintiff's Response to 02/10/2022 Minute Entry, Request for new Action: Rescission of Contract (filed 03/02/2022). The Court did not request or want a response to the earlier Minute Entry. The Court entered judgment here on September 7, 2021. Nonetheless, Plaintiff continues filing submissions that raise the same points the Court rejected many times. It is not clear what Plaintiff hopes to accomplish. From the Court's perspective, the effect of Plaintiff's submissions is to unnecessarily consume judicial resources.

Plaintiff included a poorly reasoned argument about Defendant allegedly concealing information from him. Nonsense. The "concealed" information is a provision in the CC&Rs that Plaintiff always possessed.

There is nothing new in Plaintiff's submission. At best, Plaintiff is trying to find new arguments that he regrets not raising earlier. And none of his new arguments relates to the central issue as the Court evaluated the enforceability of the parties' settlement agreement.

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The most generous interpretation of Plaintiff's Response is a poorly conceived motion for relief from judgment under Arizona Rule of Civil Procedure 60(b). Plaintiff did not come close to meeting his burden justifying such relief. The Court treats the Response as such a motion and denies it.

IT IS SO ORDERED.

/ s / JAMES D. SMITH

JAMES D. SMITH
JUDGE OF THE SUPERIOR COURT