

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-002958

01/19/2018

HONORABLE KAREN A. MULLINS

CLERK OF THE COURT
P. Culp
Deputy

ENCLAVE VILLAS CONDOMINIUM
COUNCIL OF CO-OWNERS INC

CHRISTINA N MORGAN

v.

THOMAS C TRACY

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1225 N 36TH ST # 1117
PHOENIX AZ 85008

RULING

The Court has considered Defendant's Motion to Dismiss, filed on November 9, 2017, and Plaintiff's Response to Defendant's Motion to Dismiss, filed on November 29, 2017. All the arguments made by Defendant are based on facts outside the pleadings. Thus, Defendant must comply with Ariz.R.Civ.P. 56 for relief.

IT IS ORDERED denying Defendant's Motion to Dismiss in its present form. Defendant is granted leave to file a motion for summary judgment, if he believes the material facts are not in dispute. This motion must be filed in accordance with Ariz.R.Civ.P. 56.