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*Attorneys for Defendants*

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

**IN AND FOR THE COUNTY OF MARICOPA**

**GALLERY COMMUNITY  
ASSOCIATION, an Arizona non-profit  
corporation,**

**Plaintiff,**

**v.**

**K. HOVNANIAN AT GALLERY, LLC, an  
Arizona limited liability company; K.  
HOVNANIAN ARIZONA OPERATIONS,  
LLC, an Arizona limited liability company;  
K. HOVNANIAN DEVELOPMENTS OF  
ARIZONA, INC., an Arizona corporation;  
K. HOVNANIAN COMPANIES OF  
ARIZONA, LLC, an Arizona limited  
liability company; JOHN DOES I-X AND  
JANE DOES I-X, WHITE  
CORPORATIONS I-X; BLACK  
PARTNERSHIPS I-X; AND GRAY  
LIMITED LIABILITY COMPANIES I-X,**

**Defendants.**

**Case No. CV2020-008714**

**DEFENDANTS' CERTIFICATE OF  
AGREEMENT**

**(Assigned to the Hon. Michael Kemp)**

1 Defendants K. Hovnanian at Gallery, LLC, K. Hovnanian Arizona Operations, LLC, K.  
2 Hovnanian Developments of Arizona, Inc., and K. Hovnanian Companies of Arizona, LLC  
3 (collectively the “Defendants”), by and through undersigned counsel, and in response to the  
4 Certificate of Compulsory Arbitration filed by Plaintiff, hereby states that they presently agree to  
5 the Certificate filed by Plaintiff, that this matter is not subject to compulsory arbitration.  
6  
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8 **RESPECTFULLY SUBMITTED** this 22<sup>nd</sup> day of September 2020.

9 **WILENCHIK & BARTNESS, P.C.**

10 */s/ Dennis I. Wilenchik*

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19 Via AZTurboCourt

20 **E-SERVED** September 22, 2020 upon:

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*/s/ Hilary Myers*