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6 Attorneys for Third-Party Defendant
7 Gothic Landscaping, Inc.

8 **SUPERIOR COURT OF ARIZONA**

9 **COUNTY OF MARICOPA**

10 GALLERY COMMUNITY
ASSOCIATION, an Arizona non-profit
11 corporation.,

12 Plaintiffs,

13 v.

14 K. HOVNANIAN AT GALLERY, LLC,
an Arizona limited liability company; K.
15 HOVNANIAN ARIZONA
OPERATIONS, LLC, an Arizona
16 limited liability company; K.
HOVNANIAN DEVELOPMENTS OF
17 ARIZONA, INC., an Arizona
corporation; K. HOVNANIAN
18 COMPANIES OF ARIZONA, LLC, an
Arizona limited liability company;
19 JOHN DOES I-X AND JANE DOES I-
X; WHITE CORPORATIONS I-X;
20 BLACK PARTNERSHIPS I-X; GRAY
LIMITED LIABILITY COMPANIES I-
21 X,

22 Defendants.

Case No. CV2020-008714

**GOTHIC LANDSCAPING, INC.'S
ANSWER TO THIRD-PARTY
COMPLAINT**

*(Assigned to the Honorable Michael
Kemp)*

JABURG | WILK
Attorneys at Law

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1 K. HOVNANIAN AT GALLERY, LLC,
2 an Arizona limited liability company; K.
3 HOVNANIAN ARIZONA
4 OPERATIONS, LLC, an Arizona
5 limited liability company; K.
6 HOVNANIAN DEVELOPMENTS OF
7 ARIZONA, INC., an Arizona
8 corporation; K. HOVNANIAN
9 COMPANIES OF ARIZONA, LLC, an
10 Arizona limited liability company,

11 Third-Party Plaintiffs,

12 v.

13 CHAS ROBERTS AIR
14 CONDITIONING, INC., an Arizona
15 corporation; DESERT VISTA, INC., an
16 Arizona corporation; GOTHIC
17 LANDSCAPING, INC., an Arizona
18 corporation; HOME BUILDERS
19 SITE SERVICES OF ARIZONA, LLC,
20 an Arizona limited liability company;
21 LEBLANC BUILDING CO., INC., an
22 Arizona corporation; LIBERTY
23 CONSTRUCTORS, LLC dba LIBERTY
24 ARIZONA, an Arizona limited liability
25 company; RENCO LLC dba RENCO
26 ROOFING an Arizona limited liability
company; R/S SERVICE & SUPPLY,
INC., an Arizona corporation; SARGON
MASONRY CONSTRUCTION, LLC,
an Arizona limited liability company;
and DEFENDANT DOES 1-50,
inclusive,

Third-Party Defendants.

Third-Party Defendant Gothic Landscaping, Inc. (“Gothic”), by and through
counsel undersigned, hereby answers Third-Party Plaintiffs’ Third-Party Complaint:

GENERAL ALLEGATIONS

1. Gothic lacks sufficient information or knowledge to admit the allegations
in ¶1 and therefore denies the same.

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2. Gothic lacks sufficient information or knowledge to admit the allegations in ¶2 and therefore denies the same.
3. Gothic lacks sufficient information or knowledge to admit the allegations in ¶3 and therefore denies the same.
4. Gothic lacks sufficient information or knowledge to admit the allegations in ¶4 and therefore denies the same.
5. Gothic lacks sufficient information or knowledge to admit the allegations in ¶5 and therefore denies the same.
6. Gothic lacks sufficient information or knowledge to admit the allegations in ¶6 and therefore denies the same.
7. Gothic lacks sufficient information or knowledge to admit the allegations in ¶6 and therefore denies the same.
8. Gothic admits the allegations in ¶8.
9. Gothic lacks sufficient information or knowledge to admit the allegations in ¶9 and therefore denies the same.
10. Gothic lacks sufficient information or knowledge to admit the allegations in ¶10 and therefore denies the same.
11. Gothic lacks sufficient information or knowledge to admit the allegations in ¶11 and therefore denies the same.
12. Gothic lacks sufficient information or knowledge to admit the allegations in ¶12 and therefore denies the same.
13. Gothic lacks sufficient information or knowledge to admit the allegations in ¶13 and therefore denies the same.
14. Gothic lacks sufficient information or knowledge to admit the allegations in ¶14 and therefore denies the same.

1 48. Gothic lacks sufficient information or knowledge to admit the allegations
2 in ¶48 and therefore denies the same.

3 49. Gothic lacks sufficient information or knowledge to admit the allegations
4 in ¶49 and therefore denies the same.

5 **SIXTH CAUSE OF ACTION**
6 **(Contractual Indemnity)**

7 50. Gothic incorporates by reference all previous responses and denials as set
8 forth above.

9 51. Gothic lacks sufficient information or knowledge to admit the allegations
10 in ¶51 and therefore denies the same.

11 52. Gothic lacks sufficient information or knowledge to admit the allegations
12 in ¶52 and therefore denies the same.

13 53. Gothic lacks sufficient information or knowledge to admit the allegations
14 in ¶53 and therefore denies the same.

15 54. Gothic lacks sufficient information or knowledge to admit the allegations
16 in ¶54 and therefore denies the same.

17 **SEVENTH CAUSE OF ACTION**
18 **(Declaratory Relief – Re: Duty to Defend)**

19 55. Gothic incorporates by reference all previous responses and denials as set
20 forth above.

21 56. Gothic lacks sufficient information or knowledge to admit the allegations
22 in ¶56 and therefore denies the same.

23 57. Gothic lacks sufficient information or knowledge to admit the allegations
24 in ¶57 and therefore denies the same.

25 58. Gothic lacks sufficient information or knowledge to admit the allegations
26 in ¶58 and therefore denies the same.

1 **ORIGINAL E-FILED** and **COPY**
2 of the foregoing emailed this
3 8th day of December, 2020 to:

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14 /s/ Patricia Gentry

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