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6 *at Gallery, LLC, K. Hovnanian Arizona Operations, LLC., and*  
*K. Hovnanian Developments of Arizona, Inc.*

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
8 **IN AND FOR THE COUNTY OF MARICOPA**

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

10 Plaintiff,

11 v.

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

19 Defendants.

20 K. HOVNANIAN AT GALLERY, LLC, an  
Arizona limited liability company; K.  
21 HOVNANIAN ARIZONA OPERATIONS, LLC,  
an Arizona limited liability company; K.  
22 HOVNANIAN DEVELOPMENTS OF  
ARIZONA, INC., an Arizona corporation; K.  
23 HOVNANIAN COMPANIES OF ARIZONA,  
LLC, an Arizona limited liability company;

24 Third-Party Plaintiffs,

25 v.

26 CHAS ROBERTS AIR CONDITIONING, INC.,  
27 an Arizona corporation; DESERT VISTA, INC.,  
an Arizona corporation; GOTHIC  
28 LANDSCAPING, INC., a California corporation;

Case No. CV2020-008714

**STIPULATION TO AMEND  
SCHEDULING ORDER**

(Assigned to the Honorable Katherine  
Cooper)

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1 HOME BUILDERS SITE SERVICES OF  
2 ARIZONA, LLC, an Arizona limited liability  
3 company; LEBLANC BUILDING CO., INC., an  
4 Arizona corporation; LIBERTY  
5 CONSTRUCTORS, LLC, an Arizona limited  
6 liability company, dba LIBERTY ARIZONA;  
7 RENCO LLC, an Arizona limited liability  
8 company, dba RENCO ROOFING; R/S SERVICE  
& SUPPLY, INC., an Arizona corporation;  
SARGON MASONRY CONSTRUCTION, LLC,  
an Arizona limited liability company; and DOES  
1-50.

Third-Party Defendants,

Defendants/Third-Party Plaintiffs K. Hovnanian at Gallery, LLC, K Hovnanian Arizona  
Operations, LLC, and K. Hovnanian Developments of Arizona, Inc. (collectively “K.  
Hovnanian”), Plaintiff, Gallery Community Association (the “Association” or “Plaintiff”), and  
Third-Party Defendants Chas Roberts Air Conditioning, Inc., Desert Vista, Inc., Gothic  
Landscaping, Inc., Custom Leasing, Inc. dba Home Builders Site Services of Arizona, LLC,  
Leblanc Building Co., Inc., Liberty Constructors, LLC dba Liberty Arizona, Renco LLC dba  
Renco Roofing, and Sargon Masonry Construction, LLC (collectively “Third-Party Defendants”),  
by and through undersigned counsel, hereby submit the following stipulation to amend the  
Scheduling Order granted with modifications by the Court’s Order dated November 24, 2021  
extending the third-party defendant expert disclosures and subsequent discovery, as follows:

The parties mediated on December 30, 2021, and certain have continued settlement  
discussions following the same. K. Hovnanian has settled its claims with Multiple Third-Party  
Defendants and these parties are finalizing settlement and will be dismissed. In addition, the  
parties and/or their experts have conducted additional site inspections, repair observations, and  
Plaintiff’s experts produced a supplemental report and revised cost to repair estimate, also during  
this time. Due to these developments, continued settlement efforts, and continued expert  
investigation, the Parties agree and stipulate to change the remaining deadlines in the case as  
follows:

Event	Prior Deadline	New Deadline
Third-party defendants disclose expert witnesses and reports	1/31/2022	3/31/2022
All parties disclose rebuttal expert opinions	2/28/2022	4/28/2022
Lay (non-expert) witness disclosure	2/4/2022	4/4/2022
Complete all depositions of parties and lay witnesses	4/29/2022	6/30/2022
Complete all depositions of expert witnesses	4/29/2022	6/30/2022
Complete all other discovery	4/29/2022	6/30/2022
Final supplemental disclosure	4/29/2022	6/30/2022
Complete private mediation	1/14/2022	completed
File all dispositive motions	5/27/2022	7/29/2022

The Parties also agree and stipulate that the Court may reset the Trial Setting Conference, currently set for June 10, 2022, at 10:30 a.m. to the Court's first available date in August 2022. A proposed order is filed contemporaneously herewith and attached hereto.

Dated: March 3, 2022

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25 Original of the foregoing e-filed  
26 this 3<sup>rd</sup> day of March, 2022 with:

27 Clerk of the Court  
28 Maricopa County Superior Court  
101 W. Jefferson  
Phoenix, AZ 85003

COPY of the foregoing emailed this  
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