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10 *Attorneys for the Plaintiff*

11 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
12 **IN AND FOR THE COUNTY OF MARICOPA**

13 GALLERY COMMUNITY ASSOCIATION,
14 an Arizona non-profit corporation,

15 Plaintiff,

16 v.

17 K. HOVNANIAN AT GALLERY, LLC, an
18 Arizona limited liability company; et al.,

19 Defendants.

20 _____
21 K. HOVNANIAN AT GALLERY, LLC, an
22 Arizona limited liability company; et al.,

23 Third-Party Plaintiffs,

24 v.

25 DESERT VISTA, INC., an Arizona
26 corporation; et al.

27 Third-Party Defendants.

Case No. CV2020-008714

**RULE 7.2 CERTIFICATION FOR
PLAINTIFF’S MOTION IN
LIMINE NO. 1 TO EXCLUDE
EVIDENCE RELATING TO
PLAINTIFF’S ALLEGED
“ACCEPTANCE” OF COMMON
AREAS**

Assigned to Hon. Katherine Cooper

28 Undersigned hereby certifies that she personally met and conferred with counsel for
29 Defendants K. Hovnanian at Gallery, LLC and K. Hovnanian Arizona Operations, LLC,
30 (collectively, “Defendants”) and counsel for Third-Party Defendants Desert Vista, Inc. and

1 Renco, LLC, d/b/a Renco Roofing (collectively, “Third-Party Defendants”) concerning the
2 following Motion in Limine:

3 1. Motion *in Limine* to Exclude Evidence of Plaintiff’s Alleged “Acceptance” of
4 Common Areas (the “Motion”).

5 All Defendants and Third-Party Defendants are opposed to the Motion.

6
7 I declare under penalty of perjury that the foregoing is true and correct.

8
9 RESPECTFULLY SUBMITTED this 20th day of January, 2023.

10 BURG | SIMPSON | ELDREDGE | HERSH | JARDINE PC

11
12 By: /s/ Penny J. Manship
13 Craig S. Nuss, Esq.
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17 *Attorneys for the Plaintiff Gallery Community*
18 *Association*

1 Copy of the foregoing E-FILED and sent via the
2 TurboCourt eFiling system to:

3 Hon. Katherine Cooper
4 Maricopa County Superior Court
5 101 W. Jefferson, No. 413
6 Phoenix, AZ 85003

7 Copy of the foregoing E-FILED and E-
8 MAILED via TurboCourt electronic mailing
9 system this 20th day of January, 2023 to:

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20 *Arizona Operations, LLC; K. Hovnanian*
21 *Developments of Arizona, Inc.; K. Hovnanian*
22 *Companies of Arizona, LLC*

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29 /s/ Jessica Harmon

30 Jessica Harmon