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11 *Attorneys for the Plaintiff*

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

14 GALLERY COMMUNITY
15 ASSOCIATION, an Arizona non-profit
16 corporation,

17 Plaintiff,

18 vs.

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

22 Defendants.

23 K. HOVNANIAN AT GALLERY, LLC,
24 an Arizona limited liability company; et
25 al.

26 Third-Party Plaintiffs,

27 v.

28 ARTISTIC STAIRS, LTD., an Arizona
 limited liability company; et al.

 Third-Party Defendants.

Case No. CV2020-008714

Assigned to Hon. Katherine Cooper

**DECLARATION OF MATTHEW JONES
IN SUPPORT OF PLAINTIFF'S
RESPONSE TO DEFENDANTS'
MOTION FOR AWARD OF
ATTORNEY'S FEES AND STATEMENT
OF COSTS AND RESPONSE TO THIRD-
PARTY DEFENDANTS' JOINT
APPLICATION FOR ATTORNEYS'
FEES, COSTS, & EXPERT FEES**

1 I, Matthew Jones, declare and state as follows:

2 1. I have personal knowledge of, or am otherwise competent to testify as to, each
3 and every fact set forth in this Declaration.

4 2. I am currently the president of the board of directors of Gallery Community
5 Association (the "Association").

6 3. As a board member, I am familiar with the business records of the
7 Association. Attached hereto as Exhibit 1 is a true and correct copy of the most current
8 Balance Sheet and Income Statement for the Association.

9 4. The Association is funded through the collection of assessments from the
10 homeowner members.

11 5. The Association's Reserve Fund must be used for long term capital
12 improvements at The Gallery project.

13 6. The Association does not have sufficient funds to pay an award of attorney's
14 fees to Defendants and Third-Party Defendants in this case.

15 7. An award of attorney's fees to Defendants and Third-Party Defendants would
16 be an extreme financial hardship on the Association.

17 I declare under penalty of perjury under the laws of the State of Arizona that the
18 foregoing is true and correct.

19 Executed on March 8, 2023, in Krabi (city), THAILAND (country).

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By: 
[Matthew Jones \(Mar 9, 2023 07:58 GMT+7\)](#)
Matthew Jones, Declarant






Decl Matt Jones

Final Audit Report

2023-03-09

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