



DIVISION ONE  
 FILED: 04/12/2023  
 AMY M. WOOD,  
 CLERK  
 BY: DN

Phone: (602) 452-6700

Fax: (602) 452-3226



# Court of Appeals

AMY M. WOOD  
 CLERK OF THE COURT

STATE OF ARIZONA  
 DIVISION ONE  
 STATE COURTS BUILDING  
 1501 WEST WASHINGTON STREET  
 PHOENIX, ARIZONA 85007

CLERK OF THE SUPERIOR COURT  
 FILED

APR 12 2023 2:54pm

D. Garcia, Deputy

April 12, 2023

GALLERY COMMUNITY ASSOCIATION, ) Court of Appeals  
 ) Division One  
 Plaintiff/Appellant, ) No. 1 CA-CV 23-0205  
 )  
 v. ) Maricopa County  
 ) Superior Court  
 K. HOVNANIAN AT GALLERY, LLC, et ) No. CV2020-008714  
 al., )  
 )  
 Defendants/Appellees. )  
 )

### APPELLATE CLERK NOTICE

Craig S Nuss, Burg Simpson Eldredge Hersh & Jardine PC  
 Penny J Manship, Burg Simpson Eldredge Hersh & Jardine PC  
 Grace M Osberg, Burg Simpson Eldredge Hersh & Jardine PC  
 Attorneys for: Plaintiff/Appellant

The index of record from the Superior Court was filed on April 12, 2023. Documents filed with the Superior Court on or after this date will be requested by the Court of Appeals after one of the following occurs: filing of the Reply Brief, or expiration of the due date for the Reply Brief, or the issuance of an order submitting this matter for decision. The case has been assigned the above number in the Court of Appeals, Division One, Phoenix.

Appellant's filing fee of \$280.00 is due on or before April 26, 2023. If the filing fee is not paid within the time provided, this appeal will be abandoned in accordance with the provisions of A.R.S. § 12-322(A) and Arizona Rules of Civil Appellate Procedure 12(e)(2).

Pursuant to Arizona Rules of Civil Appellate Procedure (ARCAP) Rule 11, parties are responsible for ordering any necessary transcripts that were not previously filed as part of the official record.

Page Two

1 CA-CV 23-0205

Pursuant to ARCAP Rule 11.1(d), parties are then responsible for filing any transcripts they have ordered with the Court of Appeals, as well as serving other parties involved in the case, within 5 days of receipt.

Arizona Rule of Civil Appellate Procedure 12(d) requires appellant to file a Case Management Statement by May 2, 2023. This form may be found at: <https://www.azcourts.gov/coal/Filer-Information/Case-Management-Statement>

Appellant's opening brief is due on June 12, 2023.

AMY M. WOOD, CLERK  
By

          dtn            
Deputy Clerk

A copy of the foregoing notice was sent  
April 12, 2023, to:

Dennis I Wilenchik, Wilenchik & Bartness PC  
Barbara J Stansil, Wilenchik & Bartness PC  
Louis W Horowitz, Lorber Greenfield & Polito LLP  
Co-Counsel for: Defendants/Appellees K Hovnanian, et al.

Michael A Ludwig, Jones Skelton & Hochuli PLC  
Attorneys for: Defendant/Appellee LeBlanc

Thomas J Shorall Jr, Shorall McGoldrick Zerlaut  
Jason J Boblick, Shorall McGoldrick Zerlaut (mailed)  
Attorneys for: Defendant/Appellee Liberty

Rina K Rai, Dumond Law Firm PLLC  
Mohamad H Tokko, Dumond Law Firm PLLC  
Attorneys for Defendant/Appellee Renco

Leonard T Fink, Springel & Fink LLP  
David S Schopick, Springel & Fink LLP  
Attorneys for: Defendant/Appellee Sargon

Jason J Boblick, Shorall McGoldrick Zerlaut  
Attorneys for: Defendant/Appellee Liberty

Hon Jeff Fine

Page Three

1 CA-CV 23-0205

Pursuant to A.O.s 2020-02 and 2020-03, the court expects briefs to be filed timely and will only grant motions for extension of time for good cause. Absent an order granting an extension of time, briefs will be deemed untimely if they are not filed by the due date.

If you plan to request an extension of time, please review the Court's policy prior to submitting your request. Motions requesting extensions should be filed well in advance of the due date so they can be processed prior to the due date. The court will not provide short-term extensions solely to consider a motion for extension of time.

The Court of Appeals, Division One offers subscription lists to receive emails regarding new opinions and informational news items. Interested persons can text "COALINFO" to 22828 to sign up for both opinions and news. Individuals wishing to receive only opinions or only news may visit the website: <http://www.azcourts.gov/coal/> and click on "subscribe".