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14                                   **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
15                                   **IN AND FOR THE COUNTY OF MARICOPA**

16                  GALLERY COMMUNITY ASSOCIATION,  
17                  an Arizona non-profit corporation,

18                                   Plaintiff,

19                                   v.

20                  K. HOVNANIAN AT GALLERY, LLC, an  
21                  Arizona limited liability company; K.  
22                  HOVNANIAN ARIZONA OPERATIONS,  
23                  LLC, an Arizona limited liability company; K.  
24                  HOVNANIAN DEVELOPMENTS OF  
25                  ARIZONA, INC., an Arizona corporation; K.  
26                  HOVNANIAN COMPANIES OF ARIZONA,  
27                  LLC, an Arizona limited liability company;  
28                  JOHN DOES I-X AND JANE DOES I-X,  
                                  WHITE CORPORATIONS I-X; BLACK  
                                  PARTNERSHIPS I-X; AND GRAY LIMITED  
                                  LIABILITY COMPANIES I-X,

                                  Defendants.

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                                  K. HOVNANIAN AT GALLERY, LLC, an  
                                  Arizona limited liability company; K.  
                                  HOVNANIAN ARIZONA OPERATIONS,  
                                  LLC, an Arizona limited liability company; K.  
                                  HOVNANIAN DEVELOPMENTS OF

Case No. CV2020-008714

Assigned to Hon. Katherine Cooper

**PLAINTIFF’S MOTION FOR  
STAY OF EXECUTION ON THE  
JUDGMENT AND APPROVAL OF  
SUPERSEDEAS BOND PURSUANT  
TO RULES OF CIVIL PROCEDURE,  
RULE 62(C) AND RULES OF CIVIL  
APPELLATE PROCEDURE, RULE 7**

1 ARIZONA, INC., an Arizona corporation; K.  
2 HOVNANIAN COMPANIES OF ARIZONA,  
3 LLC, an Arizona limited liability company;

4 Third-Party Plaintiffs,

5 v.

6 CHAS ROBERTS AIR CONDITIONING,  
7 INC., an Arizona corporation; DESERT  
8 VISTA, INC., an Arizona corporation;  
9 GOTHIC LANDSCAPING, INC., a California  
10 corporation; HOME BUILDERS SITE  
11 SERVICES OF ARIZONA, LLC, an Arizona  
12 limited liability company; LEBLANC  
13 BUILDING CO., INC., an Arizona corporation;  
14 LIBERTY CONSTRUCTORS, LLC, an  
15 Arizona limited liability company, dba  
16 LIBERTY ARIZONA; RENCO LLC, an  
17 Arizona limited liability company, dba RENCO  
18 ROOFING; R/S SERVICE & SUPPLY, INC.,  
19 an Arizona corporation; SARGON MASONRY  
20 CONSTRUCTION, LLC, an Arizona limited  
21 liability company; and DOES 1-50.

22 Third-Party Defendants.

23 Plaintiff Gallery Community Association (“Plaintiff” or “Association”), by and through its  
24 attorneys, Burg Simpson Eldredge Hersh & Jardine P.C., pursuant to Ariz. R. Civ. P., Rule 62(c)  
25 and Ariz. R. Civ. App. P., Rule 7(a)(2) and (b), hereby moves for the Court’s approval of a  
26 supersedeas bond and a stay of execution on the Court’s April 27, 2023 Judgment pending  
27 Plaintiff’s appeal of the Judgment. In support of the Motion, Plaintiff states as follows:

28 On April 27, 2023, the Court entered a Judgment awarding attorneys fees and costs in favor  
of Defendants K. Hovnanian at Gallery, LLC and K. Hovnanian Arizona Operations, LLC  
(collectively “Defendants”) and Third-Party Defendants Renco LLC dba Renco Roofing and Desert  
Vista, Inc. (collectively “Third-Party Defendants”) and against Plaintiff as follows:

1. Defendants were awarded attorneys’ fees of \$147,643.47 and taxable costs of  
\$20,589.06, for a **total of \$168,232.53**;



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22 /s/ Jessica Harmon

23 Jessica Harmon

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