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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.

 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

NOTICE OF APPEAL

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 NOTICE IS HEREBY GIVEN that Plaintiff, by and through undersigned counsel,
24 and pursuant to Ariz. R. Civ. App. 8 and 9 appeals to the Arizona Court of Appeals from
25 the final rulings and judgment entered and filed in this case by Maricopa County Superior
26 Court Judge Cooper as listed below:

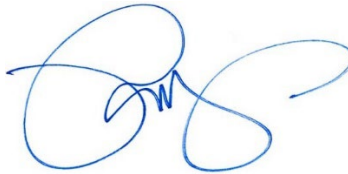
- 27 • On February 13, 2023: final ruling granting Defendants' motion for summary
28 judgment regarding each of Plaintiff's causes of action, and denying Defendants'
29 motion for partial summary judgment as moot and denying Third-Party
30 Defendants Desert Vista, Inc. and Renco, LLC's joint motion for summary
31 judgment as moot in the *Rulings re Motions for Summary Judgment*;
- On April 25, 2023: final ruling granting Defendants' and Third-Party
Defendants' motions for attorneys' fees and costs, awarding fees and costs

1 against Plaintiff in the *Rulings Re Khov and Renco/Desert Vista Applications*
2 *for Attorneys' Fees/Costs*; and

- 3 • On April 26, 2023: Judgment entered in favor of Defendants K. Hovnanian at
4 Gallery, LLC, and K. Hovnanian Arizona Operations, LLC, and against Plaintiff
5 Gallery Community Association and resolving the Third-Party Complaint
6 against Third-Party Defendants Renco, LLC dba Renco Roofing and Desert
7 Vista, Inc. as moot.

8 RESPECTFULLY SUBMITTED this 26th day of May, 2023.

9 BURG | SIMPSON | ELDREDGE | HERSH | JARDINE PC

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11
12
13 

14 By: _____

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1 Certificate of Service

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3 MAILED via Turbo court electronic mailing
4 system this 26th day of May 2023 to:

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27 /s/ Laura Sherman _____
28 Laura Sherman