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Gallery Community Association

COURT OF APPEALS, DIVISION ONE

STATE OF ARIZONA

GALLERY COMMUNITY
ASSOCIATION, an Arizona non-profit
corporation,

Plaintiff/Appellant,

v.

K. HOVNANIAN AT GALLERY, LLC, et
al.

Defendants/Appellees,

Case No. 1 CA-CV 23-0375
Maricopa County
Superior Court
No. CV2020-008714

**MOTION FOR PROCEDURAL
ORDER RE EXTENSION OF
TIME TO FILE REPLY BRIEF**

(First Request)

Plaintiff/Appellant Gallery Community Association (“Gallery HOA”) requests a 14-day extension of time within which to file its Reply Brief from December 21, 2023 to January 4, 2024. This is a first request for an extension of time. Good cause exists for the extension for the reason that undersigned counsel has been notified that the filing of an amicus brief supporting Appellant is planned.

Extending the date for Appellant’s Reply Brief will allow counsel for the amicus not to have to work through the holidays, as amicus’ deadline is tied to the filing of the reply brief. The additional time will also allow Appellant Gallery HOA sufficient time to address the arguments raised in the answering brief in a manner that will be most helpful to the Court, and for appellate counsel to obtain input and comments on the reply brief from Gallery HOA’s trial counsel. This motion is made in good faith and not for the purpose of delay. Undersigned counsel contacted counsel for Defendants/Appellees to obtain their position on this extension request, and counsel indicated that Appellees have no objection to the requested 14-day extension.

DATED this 18th day of December, 2023.

BURG | SIMPSON | ELDREDGE | HERSH |
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By: /s/ Robert G. Schaffer

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