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SUPERIOR COURT

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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF NAVAJO**

GORDON GROSS and LILIANA GROSS, husband and wife; 854 PINE CREEK, LLC, an Arizona limited liability company; BALD EAGLE RETREAT, LLC, an Arizona limited liability company; 1501 RAINBOW VIEW, LLC, an Arizona limited liability company; LAKESIDE FAMILY INVESTMENTS, LLC, an Arizona limited liability company, STEVEN A. KERNAGIS AND SANDRA K. KERNAGIS, trustees of THE STEVEN AND SANDRA KERNAGIS TRUST DATED MARCH 17, 2014; THOMAS P. ZEHRING AND JEANNETTE ROSE ZEHRING, trustees of THE ZEHRING LIVING TRUST DATED MARCH 1, 2001; and JEANNETTE ZEHRING,

Plaintiffs,

v.

THE SHORES AT RAINBOW LAKE COMMUNITY ASSOCIATION, an Arizona domestic nonprofit corporation,

Defendant.

No.: S0900CV202200042

ORDER

Re: Stipulation for Entry of Preliminary Orders

THIS MATTER having come before the Court on the Notice of Stipulation, the Court having reviewed and considered the same, and good cause appearing;


Plaintiffs' Motion for Preliminary Injunction is withdrawn without prejudice upon Defendant's agreement to delay enforcement of the First Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for The Shores at Rainbow Lake. Defendant's agreement to delay enforcement is without prejudice to seeking full enforcement for any violation occurring on or after the effective date of the First

1 Amendment, including violations that occur during the period of delayed enforcement.
2 Either party may request the Court put Plaintiffs' Motion for Preliminary Injunction back
3 on the calendar for a hearing. Defendant agrees to delay enforcement of the First
4 Amendment until the earlier of (1) this Court's entry of an order on Plaintiffs' Motion for
5 Preliminary Injunction, (2) this Court's entry of a Rule 54(b) or 54(c) judgment on the issue
6 of enforcement of the First Amendment or (3) the stipulation of the parties.

7 **IT IS ORDERED** that the Parties shall file any preliminary dispositive motions that
8 the parties believe do not require disclosure and discovery by May 4, 2022.

9 **IT IS FURTHER ORDERED** that any and all Rule 16(b) deadlines and
10 obligations shall be held in abeyance until further order by the Court.

11 DATED: April 29, 2022

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13 _____
14 Judge of the Superior Court