

1 Jack R. Cunningham (No. 004961)
Email: jrc@jhkmlaw.com
2 James L. Csontos (No. 010823)
E-mail: jlc@jhkmlaw.com
3 **JENNINGS HAUG KELEHER MCLEOD LLP**
2800 N. Central Avenue, Suite 1800
4 Phoenix, AZ 85004-1049
Telephone: 602-234-7800
5 Facsimile: 602-277-5595

6 AZTurboCourt E-service and
7 Court Documents: docket@jhkmlaw.com

8 Attorneys for Defendant/Appellant

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10 **COURT OF APPEALS**
11 **STATE OF ARIZONA**
12 **DIVISION ONE**

13 GORDON GROSS and LILIANA
GROSS, husband and wife; et al.,

14 Plaintiffs/Appellees,

15 vs.

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

18 Defendant/Appellant.

Case No.: 1 CA-CV 23-0394

Navajo County Superior Court
No. S0900CV202200042

**MOTION FOR PROCEDURAL
ORDER AND APPELLANT'S
MOTION TO EXTEND TIME TO
FILE OPENING BRIEF**

21 Defendant/Appellant The Shores at Rainbow Lake Community Association
22 ("Appellant") moves the Court for its Order granting Appellant 20 additional days to file
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1 its Opening Brief. This Motion is brought pursuant to Rule 6(b) of the Arizona Rules of
2 Civil Appellate Procedure.

3 The Opening Brief is presently due on Tuesday, August 29, 2023. Appellant
4 requests an extension of 20-days to September 18, 2023, in which to file its Opening
5 Brief. This is Appellant's first request for additional time.

6 Appellant's counsel seeks the extension not for any dilatory purpose and no party
7 will suffer prejudice if this Motion is granted. Appellant is a not-for-profit corporation
8 operated by a volunteer Board of Directors comprised of five homeowners within the
9 Rainbow Lakes Community. The Board members have their own occupations or
10 commitments outside of their volunteer time for the Board, and these commitments result
11 in the Board requiring more time than anticipated to meet, discuss, offer revisions and
12 approve the Opening Brief.

13 Counsel for Appellant conferred with Counsel for Appellees, and he graciously did
14 not oppose a granting of an extension.

15 For these reasons, Appellant respectfully requests the entry of an Order extending
16 the due date for Appellant's Opening Brief from August 29, 2023 to September 18, 2023.

17 DATED this 28th day of August, 2023.

18 JENNINGS HAUG KELEHER MCLEOD LLP

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20 /s/ James L. Csontos
21 James L. Csontos
22 Jack R. Cunningham
23 *Attorneys for Defendant The Shores at Rainbow*
24 *Lake Community Association*
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1 E-FILED and a copy of the foregoing mailed
2 and e-mailed this 28th day of August, 2023, to:

3 Rick K. Carter
4 Matthew A. Klopp
5 Stockton D. Banfield
6 Joseph R. Rainey
7 DYER BREGMAN FERRIS
8 WONG & CARTER, PLLC
9 3003 N. Central Avenue, Suite 2600
10 Phoenix, AZ 85012
11 rkcarter@dbfwclegal.com
12 mklopp@dbfwclegal.com
13 sdb@dbfwclegal.com
14 jrrainey@dbfwclegal.com
15 *Co-Counsel for Plaintiffs/Appellees*

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/s/ *Angela Robison*

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