

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2015-094714

09/08/2016

HON. DAVID K. UDALL

CLERK OF THE COURT

K. Tiero

Deputy

HALLCRAFT VILLAS EAST I, II, & III
HOMEOWNERS ASSOCIATION

v.

SHAWNTEIA ELIZABETH GASTON

SHAWNTEIA ELIZABETH GASTON

1350 E NORTHERN AVE

376

PHOENIX AZ 85020

LYDIA P LINSMEIER

UNDER ADVISEMENT RULING

The Court took this matter under advisement after Oral Argument was held on September 1, 2016 on Third Party Plaintiff/Counterclaimant Plaintiff's Motion for Summary Judgment. The Court has considered the arguments of the parties and the pleadings. The Court makes the following findings and enters the following orders.

The Court will give all inferences in favor of the non-moving party.

THE COURT FINDS there are questions of material fact with a jury to consider whether or not notice was given by the HOA and whether or not the HOA breached the contract.

IT IS ORDERED denying Ms. Gaston's Motion for Summary Judgment.

SUPERIOR COURT OF ARIZONA
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Dated this 8th day of September, 2016

/ s / HONORABLE DAVID K. UDALL

HONORABLE DAVID K. UDALL
JUDICIAL OFFICER OF THE SUPERIOR COURT