

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-002225

03/08/2024

HONORABLE JENNIFER RYAN-TOUHILL

CLERK OF THE COURT
A. Meza
Deputy

IQTUNHEIMR L L C

NATHAN BROWN

v.

VAL VISTA LAKES COMMUNITY
ASSOCIATION, THE, et al.

KYLE BANFIELD

JUDGE RYAN-TOUHILL

MINUTE ENTRY

East Court Building – Courtroom # 414

11:32 a.m. This is the time set for virtual Order to Show Cause Return Hearing regarding Plaintiff's February 5, 2024, *Application for Preliminary and Permanent Injunction*. Plaintiff, Iqtunheimr LLC, is represented by counsel, Nathan Brown. Defendants, The Val Vista Lakes Community Association and Timothy Hedrick, are represented by counsel, Kyle Banfield and Lydia Linsmeier. All appearances are virtual.

A record of the proceedings is made digitally in lieu of a court reporter.

The Court has reviewed Plaintiff's February 5, 2024, *Application for Preliminary and Permanent Injunction*.

Discussion is held regarding the status of the case and the parties' positions on whether to set an Evidentiary Hearing at this time.

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Defendants' counsel reports that Defendants intend to file a motion to dismiss. Plaintiff's counsel reports that Defendants' counsel is not permitted to represent Defendants pursuant to A.R.S. §33-1811.

The Court advises Plaintiff's counsel that Plaintiff may file a motion to disqualify for the Court's consideration, or Plaintiff may take any ethical concerns to the State Bar of Arizona.

Based on the Court's review of Plaintiff's pleadings and the discussions held today,

IT IS ORDERED setting an Evidentiary Hearing on Plaintiff's February 5, 2024, *Application for Preliminary and Permanent Injunction* for **May 14, 2024, at 9:00 a.m. (time allotted: 6 hours)** in this Division before:

**The Honorable Jennifer Ryan-Touhill
Maricopa County Superior Court
East Court Building
101 W. Jefferson
4th Floor, Courtroom 414
Phoenix, AZ 85003
Phone: 602-372-0920**

The Hearing will be held from 9:00 a.m. to 12:00 p.m., and 1:30 p.m. to 4:30 p.m.

IT IS FURTHER ORDERED that the parties shall exchange with each other, and file with the Court, a list of witnesses and exhibits no later than May 1, 2024.

IT IS FURTHER ORDERED the parties shall submit exhibits for the Evidentiary Hearing to the Clerk no later than May 1, 2024.

11:55 a.m. Matter concludes.

HEARING EXHIBITS

This Division uses Case Center, a state-wide electronic exhibit portal. All exhibits shall be electronically submitted through Case Center. When the case has been initiated by the Clerk of Court, the attorney of record and any self-represented party will receive an email invitation to the case created in Case Center. The attorney of record is responsible for inviting through Case Center any co-counsel or staff who need access to the case.

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Counsel and any self-represented party shall upload all trial exhibits to Case Center no later than 3:00 p.m. on May 1, 2024.

For uploading exhibits to Case Center, please adhere to the following guidelines:

1. Exhibits must be appropriately titled. Any exhibit title containing derogatory or prejudicial information will be renamed by the Clerk.
2. Do not put exhibit numbers in your exhibit titles. Case Center will assign an exhibit number to each exhibit upon upload, and will number Plaintiff's exhibits and Defendant's exhibits separately (e.g., Plaintiff's exhibit 1; Defendant's exhibit 1, etc.).
3. Do not submit duplicate exhibits. **It is essential that the parties confer to avoid submitting duplicate exhibits.**
4. Original Depositions will not be marked as an exhibit. **Original** depositions to be used for impeachment purposes shall be provided in paper form to the Clerk on the first day of the hearing/trial to be hand-filed.
5. If large charts or blow-ups are anticipated to be used, please include a small version (or photo) which can be marked as the exhibit. The charts and blow-ups are used for demonstrative purpose only, are not marked as the exhibits, and are returned.

The Court, Clerk, and all counsel and self-represented parties will have access to the exhibits through Case Center. The Court will not have paper copies of exhibits available for witnesses. Counsel may use the Case Center presentation software or may use their own trial presentation software to present exhibits to witnesses, as long as counsel can avow that the exhibits they present are true and accurate copies of the Court's exhibits.

For further information about Case Center and training materials:

- <https://digitalevidence.azcourts.gov/>
- <https://www.azcourts.gov/digitalevidence/Training/Attorney-and-Self-Represented-Litigants>

For assistance in preparation of exhibits contact the Courtroom Clerk:
Ana.Meza@Maricopa.Gov or (602) 506-8806