

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-002225

05/14/2024

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

9:02 a.m. This is the time set for virtual Status Conference. Plaintiff, Iqtunheimr LLC, is represented by counsel, Nathan Brown. Defendants, The Val Vista Lakes Community Association and Timothy Hedrick, who is present, 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 notes that this Conference was set via the Court's Minute Entry filed May 2, 2024, at the request of Defendants' counsel.

Defendants' counsel makes an oral motion to strike the April 4, 2024, April 28, 2024, and February 15, 2024, Notices filed by Plaintiff's counsel.

Oral argument is presented. Oral reply is not necessary and is not permitted.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-002225

05/14/2024

Based on the matters presented, the Court having heard argument from both sides as to this issue,

IT IS ORDERED granting Defendants' oral motion to strike, and striking the February 15, 2024, April 4, 2024, and April 28, 2024, Notices filed by Plaintiff.

LET THE RECORD REFLECT the rationale for the Court's ruling on this issue is the same as the rationale stated in the Court's Minute Entry filed May 2, 2024, in which the Court struck other Notices.

Discussion is held regarding the issue of Defendants' counsel's concerns related to which people or entities Plaintiff's counsel may contact as represented parties or non-parties.

THE COURT FINDS that there is nothing for the Court to act upon at this time regarding this issue. The Court encourages the parties to communicate and work together regarding this issue.

Further discussion is held as to the status of the case. The Court having ruled on Defendants' motion to dismiss, and there being claims that remain active,

IT IS ORDERED Defendants shall file their answer no later than May 24, 2024.

IT IS FURTHER ORDERED the parties shall file a joint report and proposed scheduling order no later than June 28, 2024.

Discussion is held regarding legal issues related to Defendant The Val Vista Lakes Community Association's status as a non-profit or for-profit entity as it relates to derivative claims, as well as issues related to a meet and confer between the parties regarding sealing documents.

THE COURT FINDS that the issues related to non-profit status are not before the Court because, in the Court's May 2, 2024, Minute Entry, the Court has already dismissed claims that would be derivative claims.

THE COURT FURTHER FINDS that there is no mechanism that would allow the Court to order a party to make disclosures in advance of a meet and confer. Therefore,

IT IS ORDERED taking no action on Plaintiff's request for additional information prior to the parties' meet and confer regarding sealing documents. The Court directs the parties to follow the rules and standard procedures outlined in the Arizona Rules of Civil Procedure regarding meet

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-002225

05/14/2024

and confers, and any motion or stipulation that may arise from the issues discussed at the meet and confer.

The Court reiterates that it has not permitted, and will continue to not permit, interested parties to disrupt virtual proceedings by attempting to join virtual proceedings after the Court has started the hearing.

9:27 a.m. Matter concludes.