Clerk of the Superior Court
*** Electronically Filed ***
12/05/2025 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-005545 12/04/2025

HONORABLE FRANK W. MOSKOWITZ

CLERK OF THE COURT
S. Motzer
Deputy

SHEILA JANISCH

FRANK M FOX

v.

SCOTTSDALE MOUNTAIN COMMUNITY ASSOCIATION

CHARLES H OLDHAM

EDEN COHEN
JUDGE BLANCHARD
JUDGE MOSKOWITZ
STATE BAR OF ARIZONA

MINUTE ENTRY

East Court Building – Courtroom 914

10:05 a.m. This is the time set for Oral Argument on the Expedited Motion to Disqualify Counsel and Preclude Evidence and Strike Complaint filed May 14, 2025. Plaintiff is present and represented by counsel, Frank M. Fox. Defendant is represented by counsel, Eden Cohen and Charles H. Oldham.

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

Argument is presented and discussion is held.

10:25 a.m. Court stands at recess.

10:30 a.m. Court reconvenes with the respective counsel and parties present.

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

Further discussion is held.

10:58 a.m. Court stands at recess.

11:00 a.m. Court reconvenes with the respective counsel and parties present.

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

The Court addresses Mr. Fox's concern/inquiry whether this Court is bias against him and his client.

Further discussion is held.

For the reasons stated on the record,

IT IS ORDERED that rather than disqualify Mr. Fox, Plaintiff may not use in this case any documents or information they obtained in response to the subpoenas at issue and that anything on the docket that is sealed shall remain sealed.

IT IS FURTHER ORDERED that the parties shall meet and confer and submit a proposed order regarding the appointment of a special master by **no later than December 19, 2025**.

IT IS FURTHER ORDERED denying without prejudice and at this time any request by the Defendant for attorneys' fees.

Further discussion is held.

IT IS ORDERED that the parties shall meet and confer and submit an amended joint report and proposed scheduling order by **no later than December 19, 2025**.

11:15 a.m. Matter concludes.

LATER:

Based on the Court's concern about what transpired at today's hearing and learning that Mr. Fox has had another stroke in the last three weeks or so, this Judicial Officer is referring Mr. Fox and what transpired at today's hearing to the State Bar of Arizona for review.

Because this is the second referral of Mr. Fox to the State Bar by this Judicial Officer, the Court recuses itself from this case and all other cases involving Mr. Fox.

IT IS THEREFORE ORDERED referring this matter to the Civil Presiding Judge for reassignment of this case and all other cases in which Mr. Fox is counsel of record.