Clerk of the Superior Court
*** Electronically Filed ***
01/27/2026 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-005545 01/26/2026

HONORABLE DAVID MCDOWELL

CLERK OF THE COURT
K. Johanson
Deputy

SHEILA JANISCH FRANK M FOX

v.

SCOTTSDALE MOUNTAIN COMMUNITY ASSOCIATION CHARLES H OLDHAM

JUDGE MCDOWELL

MINUTE ENTRY

The Court is in receipt of *Plaintiff's Motion to Compel Statutory Production (A.R.S. §33-1805)* filed January 17, 2026.

While designated a motion to compel, Plaintiff does not seek production of any discovery or disclosure contemplated by the Rules of Civil Procedure. Instead, Plaintiff seeks relief under one of the causes of action stated in the March 16, 2024 Complaint. Thus, Plaintiff appears to be seeking interim relief but has not crafted the filing in such a manner as to meet the requirements to obtain interim relief.

The Court is troubled by Plaintiff's request that the Special Master be asked to investigate allegations and make determinations of fact. The request for a special master was to address discovery disputes not to usurp the rule of the finder of fact.

The Court is also troubled by the lack of citation for one of the cases included by Plaintiff in this motion, *Grasmeyer v. Storage Review*. The Court was unable to find any Arizona case with that name and a national search similarly found no case by that name.

IT IS ORDERED denying this Motion without prejudice to refile it as a motion for interim relief and with proper citations to authority.