Clerk of the Superior Court
*** Electronically Filed ***
02/09/2026 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-005545 02/06/2026

HONORABLE DAVID MCDOWELL

CLERK OF THE COURT
J. Paul
Deputy

SHEILA JANISCH

FRANK M FOX

v.

SCOTTSDALE MOUNTAIN COMMUNITY ASSOCIATION

CHARLES H OLDHAM

JUDGE MCDOWELL

MINUTE ENTRY

The Court is in receipt of a January 30, 2026 *Notice of Errata to Reply in Support of Motion to Strike* filed by Defendant and a February 2, 2026 *Plaintiff's Objection and Response to Defendant's Notice of Errata.*

As an initial matter, Rule 7.1 does not permit replies to be filed in support of a motion to strike. This Court is aware of no order issued by Judge Moskowitz which permitted such a filing and this Judge has not given such permission. So the Court will not consider the December 31, 2025 *Scottsdale Mountain Community Association's Reply in Support of Motion to Strike Exhibits from the Record and Docket;* the January 30, 2026 *Notice of Errata to Reply in Support of Motion to Strike,* or the February 2, 2026 *Plaintiff's Objection and Response to Defendant's Notice of Errata.*

Further, Judge Moskowitz ruled on the *Motion to Strike* during his December 4, 2025 ruling and this Court affirmed that order in its December 31, 2025 Order. As stated in the December 31, 2025 Order,

> The Court finds the May 23, 2025 Motion to Strike Exhibits resolved by Judge Moskowitz's December 4, 2025 Ruling. **IT IS ORDERED** affirming Judge Moskowitz's ruling that any exhibits previously submitted to the Court which had been sealed would remain sealed and would only be unsealed upon order of the

Court. Further as Judge Moskowitz ruled, Plaintiff is not permitted to use any documents obtained as a result of improperly issued subpoena but Plaintiff is permitted to use the same information if obtained by a properly issued subpoena or from another source.