

ARIZONA SUPERIOR COURT  
FOR THE COUNTY OF MARICOPA

CLERK OF THE SUPERIOR COURT  
FILED  
1-2-20 1:33pm  
S. Jaffe Deputy

\_\_\_\_\_  
Jie Cao, Haining Xia, Stone Xia

Plaintiffs,

v.

Lorne Polger, Matt Quinn, Michael A Schern

Defendants.  
\_\_\_\_\_

**CV2019-055353**  
**MOTION FOR ENTRY**  
**OF DEFAULT JUDGMENT**

**(Assigned to the Honorable**  
**Theodore Campagnolo)**

The undersigned on behalf of the plaintiffs, Jie Cao, Haining Xia and Stone Xia, move this Court for entry of a default judgment as to defendants Matt Quinn, upon the complaint heretofore filed and served upon the defendant, in accordance with the provisions of Rule 55(b)(1), Arizona Rules of Civil Procedure, and in support thereof shows the Court the following.

1. On November 20, 2019 the Plaintiffs filed in the Maricopa Superior Court a Complaint alleging certain fraudulent practices by defendants resulting in a void termination of Dorsey Condominium Association (the "HOA") and the fraudulent transfer of the Plaintiffs property located at Unit 106, 1275 E University Drive, Tempe AZ 85281 (the "Property"). Matt Quinn, as President of the HOA, fraudulently claimed to be trustee of the Plaintiffs and caused the filing of a fraudulent Warranty Deed with regard to the Property with the Maricopa County on November 15, 2019 (the "Warranty Deed").
2. On November 20, a copy of said Complaint and a Summons in a Civil Action was sent by certified mail with return receipt to Matt Quinn at his office at Dorsey Place Condominium Association, 8825 N 23rd Ave Ste 100, Phoenix AZ 85021. Return receipt was dated November 21, 2019. Matt Quinn caused his attorneys Edith Rudder and Nicholas Nogami to file a Notice of Appearance on December 9, 2019.
3. On December 13, 2019, after more than twenty days had elapsed since the service of said Complaint and Summons upon defendant, and no Answer thereto having been served by defendant upon the Plaintiffs, the Plaintiffs notified Matt Quinn, defendant, of the Plaintiff's intention to petition this Court for entry of a default judgment against Matt Quinn.
4. Matt Quinn has failed to plead or otherwise defend this action, and the Plaintiffs are entitled to judgment by default against Matt Quinn.

5. Pursuant to the provisions of Rule 55(b)(1), Arizona Rules of Civil Procedure, this Court is empowered to enter a default judgment against Matt Quinn for relief sought by plaintiff in its complaint, and written notice of this action has been given to defendants.

**PRAYER**

WHEREFORE, plaintiff prays that this Court enter a judgment of default against Matt Quinn, and that (1) the HOA termination agreement is void, (2) Matt Quinn be enjoined and restrained from acting as Plaintiffs' trustee, and (3) the afore-mentioned Warranty Deed is void.

That damages sought in the Complaint (\$81,000) be granted in whole to the Plaintiffs.

Other cost that we request to be awarded to plaintiffs including court filing fee of \$333, mailing cost of \$75, copying and printing cost of \$100, Transportation cost to the court, legal services, post offices and other public authorities in the amount of \$500, and service of process fee of \$200. As we did not engage counsel to represent us, we spend over 250 hours, researching for legal documents, statutes, rules, CC&R and Bylaws, and preparing court documents. We request a compensation of \$5,000 for our time spend. The above amount totaled \$6,208.

**AFFIDAVIT**

I, Jie Cao, do hereby certify that the statements and allegations set forth herein are true and accurate to the best of our knowledge and belief.

Respectfully submitted,

  
\_\_\_\_\_  
JIE CAO

On behalf of:

Jie Cao  
Haining Xia  
Stone Xia

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