

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2017-003266

12/01/2017

HONORABLE HUGH HEGYI

CLERK OF THE COURT  
S. Brown  
Deputy

LAKESWOOD COMMUNITY ASSOCIATION,  
THE

QUINTEN T CUPPS

v.

STEPHEN S EDWARDS, et al.

STEPHEN S EDWARDS  
16030 S 36TH ST  
PHOENIX AZ 85048

AMANDA BREEMES  
JOHN L CONDREY  
CHRISTOPHER M HANLON  
MAUREEN MULVANEY  
16026 S 36TH ST  
PHOENIX AZ 85048  
REBECCA K O'BRIEN  
DAXTON R WATSON  
STEVEN LONG  
DOCKET-CIVIL-CCC

MINUTE ENTRY

Courtroom – ECB 714

10:05 a.m. This is the time set for a status conference. Plaintiff/Cross-Defendant The Lakewood Community Association is represented by counsel, Quinten Cupps and Steven Long. Steven Long also represents Third-Party Defendants Vicky Sears, Sandra Smith, and David Lunn. Defendants Quinten Cupps and Catherine Cupps are represented by counsel, John Condrey. Defendant Federal Express Corporation is represented by counsel, Daxton Watson. Defendant Jeffrey Smith is present on his own behalf and as co-counsel for Third-Party

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Defendants Sandra Smith and Vicky Sears. Third-Party Defendant Michael Gardner is represented by counsel, Geoffrey Collins. Third-Party Defendant Maureen Mulvaney is present on her own behalf. Defendant Title Security Agency of Arizona, Inc. is represented telephonically by counsel, Rebecca O'Brien. Defendant/Counter-Plaintiff Stephen Edwards is not present.

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

The Court advises the parties of an email communication from Mr. Edwards sent to the division judicial assistant at 9:26 a.m. and reads same into the record. The clerk is directed to file the email.

The Court also advises the parties of the content of a phone call received from Mr. Edwards just prior to today's hearing regarding Mr. Edward's request to appear telephonically and why he was not allowed to participate telephonically in today's hearing.

FILED: E-mail

**IT IS ORDERED**, all of the pleadings stricken in the Court's November 28, 2017 minute entry may be refiled as separate pleadings no later than 30 days from today. If the motions are not filed by January 2, 2018, they will be deemed abandoned.

The following is a list of motions that have not yet been decided:

1. Third-Party Defendants Sandra Smith and Vicki Sears' Motion to Dismiss Counter-Plaintiff's Complaint filed July 5, 2017;
2. Counter-Defendant The Lakewood Community Association and David Lunn's Motion to Dismiss Counter-Plaintiff's "Cross-Complaint", filed July 5, 2017;
3. Third-Party Defendant Federal Express Corporation's Rule 12(b) Motion to Dismiss Third-Party Complaint filed July 5, 2017;
4. Third-Party Defendants Cupps' Motion to Dismiss Cross Claimant's Cross-Complaint filed July 5, 2017;
5. Counter/Cross/Third-party Defendant Maureen G. Mulvaney's Joinder to The Lakewood Community Association's Motion to Dismiss filed July 6, 2017;

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6. Counter/Plaintiff Edward's July 19, 2017 Motion to Consolidate Case #CV2014-0927726;
7. Counter/Plaintiff Edward's July 27, 2017 Motion to Compel Attorney Larry Langley to Produce Billing Records of Quinten Cupps from June 2015 to Current or Face Sanctions (which was not filed with the Clerk's Office until November 6, 2017);
8. Counter-defendant Gardner's July 31, 2017 Motion to Dismiss;
9. Counter/Plaintiff Edward's August 8, 2017 Motion for Partial Summary Judgment;
10. Jeffrey Smith's August 10, 2017 Motion to Strike and/or Motion to Dismiss Edwards' First Amended Cross-Complaint with Prejudice; and
11. Counter/Plaintiff Edward's August 15, 2017 Motion to Dismiss Federal Express and Motion to Continue or Vacate August 24, 2017 9 am Hearing.

Upon verbal request of Federal Express, and there being no objection,

**IT IS ORDERED** granting the pleading listed as Motion No. 3, paragraph 3, of Mr. Langley's Joint Report to the Court which is the July 5, 2017 Third-Party Defendant FedEx Ground Package System, Inc.'s Rule 12(b) Motion to Dismiss Third-party Complaint and granting Counter/Plaintiff Edward's August 15, 2017 Motion to Dismiss Federal Express. The remainder of Mr. Edward's Motion to Continue or Vacate August 24, 2017 Hearing is denied as moot.

Mr. Watson is excused from the proceeding.

The Court ascertains that no parties are requesting oral argument on any of the pending motions.

The Court addresses Judge Mullins' August 29, 2017 minute entry order that no party may file any new motion without leave of Court.

**IT IS ORDERED**, any Responses and Replies filed prior to Judge Mullins' Order shall be filed in the ordinary course of business.

**IT IS FURTHER ORDERED**, any pleadings that were the subject of the Court's November 28, 2017 minute entry shall be refiled within 30 days, if at all.

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Mr. Cupps makes a verbal request to be allowed to file a motion to deem Mr. Edwards a vexatious litigant. Counsel is directed to Administrative Order 2014-0134 and 2006-052 which governs how the Court handles allegations of vexatious litigants and ordered to file a wv motion if he wishes.

10:46 a.m. Matter concludes.