

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-003266

08/09/2019

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT
K. Cabral
Deputy

LAKWOOD COMMUNITY ASSOCIATION,
THE

QUINTEN T CUPPS

v.

1630 S 36TH L L C, et al.

JOHN L CONDREY
MICHAEL GARDNER
16202 S 36TH ST
PHOENIX AZ 85048
MAUREEN MULVANEY
16026 S 36TH ST
PHOENIX AZ 85048
MICHAEL R PERRY
BRIAN K STANLEY
JUDGE VIOLA

**MOTION TO QUASH – DENIED
ORDER FOR DISMISSAL UNLESS FURTHER ACTION TAKEN**

Motion to Quash

The Court has received Defendant Stephen Edwards' Motion to Quash filed July 19, 2019, Plaintiff Lakewood Community Association's Response to Defendant Stephen S. Edwards' Motion to Quash filed July 31, 2019, and the Defendant's Reply filed August 5, 2019.

Upon review, the Court notes that Defendant Edwards did not file any objection to the proposed form of judgment issued on January 7, 2019. Defendant Edwards filed a Motion only

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asking the Court deny legal fees to Plaintiff's counsel. Additionally, the record does not contain any filing by Defendant Edwards seeking to stay the enforcement of the writ about which he now complains. The Court recognizes that Mr. Edwards requested relief from the lien but the record does not reflect any request for a stay of execution nor any attempt to object to the sale based on the form of judgment. Accordingly, the Court concludes that Defendant Edwards has waived his objection to the validity of the judgment resulting in the sheriff's sale.

IT IS ORDERED denying Defendant Stephen Edwards' Motion to Quash filed July 19, 2019.

Order for Dismissal

No action having been taken on any claims since March 2019,

IT IS ORDERED any remaining claims will be dismissed on **October 1, 2019** unless the Court receives before **October 1, 2019** a joint Rule 16 joint report identifying the specific claims that remain to be litigated and a proposed scheduling order.