

CHDB LAW LLP

1400 East Southern Avenue, Suite 400
Tempe, Arizona 85282-5691
P. 480-427-2800; F. 480-427-2801
minuteentries@CHDBLaw.com
(Charles H. Oldham - SBN 021957)
Chuck.Oldham@chdblaw.com
(Ari A. Bowhay - SBN 036858)
ari.bowhay@chdblaw.com
*Attorneys for TARA CONDOMINIUMS
ASSOCIATION*

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

Lisa Marx,

Plaintiff,

vs.

TARA CONDOMINIUMS
ASSOCIATION, an Arizona non-profit
corporation,

Defendant.

Case No. CV2025-012980

JOINT REPORT

(Assigned to Honorable Randall Warner)

The parties signing below certify that they have conferred in good faith, either in person or by telephone as required by Rule 7.1(h), about the matters set forth in Rule 16(b)(2) and (c)(3), and that this case is not subject to the mandatory arbitration provisions of Rule 72. With regard to matters upon which the parties could not agree, they have set forth their positions separately in item 13 below. The parties are submitting a Proposed Scheduling Order with this Joint Report. Each date in the Joint Report and in the Proposed Scheduling Order includes a calendar month, day, and year.

.../

1 **1. Brief Description of the case**

2 **Plaintiffs position:** Plaintiff alleges breaches by the Association of fiduciary duties,
3 ultra vires act, the Arizona Condominium Act and other statutes, and condominium governing
4 documents (including the Declaration, Bylaws, Articles of Incorporation, and servitude
5 provisions §§ 6.13-6.14), causing individualized harms. Pending: Motion for Leave to File
6 Third Amended Complaint (adding defendants Gottmann and Anderson, and post-filing
7 claims) and Motion for Preliminary and Permanent Injunction (enjoining invalid Declaration
8 amendments).

9 **Defendant’s Position:** The Association denies all allegations made by Plaintiff and
10 asserts that it has at all times acted in good faith and within the scope of its authority. The
11 Association maintains that its actions were taken in accordance with Arizona law, the
12 community’s recorded covenants, conditions, and restrictions (CC&Rs), and all other
13 applicable governing documents. The Association further contends that it has acted reasonably
14 in the enforcement and the administration of its duties, and that any claims to the contrary are
15 without merit.

16 **2. Current Case Status:** Every defendant has been served or dismissed. Plaintiff
17 wishes to inform the Court that the Defendant answered the First Amended Complaint (FAC)
18 on September 4; the Second Amended Complaint (SAC, filed September 15, 2025) remains
19 unanswered; and the Motion to Leave to File Third Amended Complaint (TAC) and Motion
20 for Preliminary and Permanent Injunction are pending. Rule 26.1 initial disclosures have not
21 been received from the Defendant. The defendants may change based on the outcome of the
22 Motion for Leave to File Third Amended Complaint.

23 **3. Amendments:** Defendants do not anticipate filing an amendment to a pleading
24 that will add a new party to the case. Plaintiff anticipates the addition of defendants, Gottmann
25 and Anderson via the pending Motion for Leave to File Third Amended Complaint (filed
26

1 September 22, 2025). The pending Motion for Preliminary and Permanent Injunction (filed
2 October 5, 2025) may necessitate further changes to pleadings or scheduling if granted. No
3 other amendments are anticipated unless new facts arise.

4 **4. Settlement:** The parties agree to engage in settlement discussions with a
5 settlement judge assigned by the court. The parties will be ready for a settlement conference by
6 March 9, 2026.

7 **5. Readiness:** This case will be ready for trial by September 14, 2026.

8 **6. Jury:** There is a right to a trial by jury, and it has been waived by the parties.

9 **7. Length of Trial:** Defendants estimate the length of trial to be four (4) days.
10 Plaintiff estimates that 7-10 days may be necessary for trial to present the large volume of
11 exhibits, audio clips, audio transcriptions, and photographic evidence, as well as to
12 accommodate witness testimony, cross-examinations, arguments, and other trial necessities.
13 This accounts for the case's complexity including over 500 exhibits.

14 **8. Summary Jury:** The parties do not agree to a summary jury trial.

15 **9. Preference:** This case is not entitled to a preference for trial.

16 **10. Special Requirements:** No disability accommodations are required. There are
17 no interpreter requirements.

18 **11. Scheduling Conference:** Plaintiff requests a Rule 16(d) conference.

19 **12. Other matters:** The parties do not wish to bring any other matters to the court's
20 attention that may affect the management of this case.

21 **13. Items upon which the parties do not agree:** Plaintiff's Position: A trial length
22 of 7-10 days is necessary due to the case's complexity, including over 500 exhibits, audio clips
23 and transcriptions, photographic evidence, and testimony from witnesses. Additionally, initial
24 Rule 26.1 disclosures are overdue from Defendant (due approximately October 4, 2025, from
25 the September 4, 2025, answer), and the current case status remains unresolved with the
26

1 unanswerd Second Amended Complaint (filed September 15, 2025), potentially affecting
2 admissions under ARCP 8(c)(6) and overall timelines.

3 Defendant's Position: Defendants do not anticipate the need for a 7-10 day jury trial.
4 Further, unless the Court orders differently, Defendants do not believe it expedient or judicially
5 efficient to file an answer to the Second Amended Complaint until the Court has ruled on
6 Plaintiff's Pending Motion to File her Third Amended Complaint. Based on the parties'
7 conferral and the Scheduling Order filed contemporaneously with this Joint Report, the parties'
8 initial disclosure statements are due on October 15, 2025.

9
10 RESPECTFULLY SUBMITTED this 10th day of October, 2025.

11 **CHDB LAW LLP**

12
13 By: /s/Lisa Marx (w/permission)
14 Lisa Marx
15 *Plaintiff Pro Per*

16 By: /s/ Ari A. Bowhay, Esq.
17 Charles H. Oldham, Esq.
18 Ari A. Bowhay, Esq.
19 1400 East Southern Ave. Suite 400
20 Tempe, Arizona 85282-5691
21 *Attorneys for Defendant Tara*
22 *Condominiums Association*

23 **ORIGINAL** of the foregoing e-filed
24 This 10th day of October, 2025.

25 **COPY** of the foregoing mailed/e-mailed
26 This 10th day of October, 2025, to:

27 Lisa Marx
28 13610 N. 111th Ave.
29 Sun City, AZ 85351
30 aimtodogood@gmail.com
31 *Plaintiff Pro Per*

32 By: /s/ Suzanne Hilborn