

1 Lisa Marx
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6 Representing self

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

9
10 Lisa Marx
11 Plaintiff,

Case No. CV 2025-012980

12 vs.

13 Tara Condominiums Association, Inc.,

14 **DECLARATION OF LISA MARX IN**
15 **SUPPORT OF PLAINTIFF'S**
16 **MOTION**
17 **FOR PARTIAL SUMMARY**
18 **JUDGMENT**
19 **ON COUNT VII (CLAIMS 120 AND**
20 **121 – A.R.S. § 10-11601)**

21 Honorable Adele Ponce

22 I, Lisa Marx, declare as follows:

- 23 **1)** I am the Plaintiff in this action. I am over eighteen, competent to testify, and
24 make this declaration on my personal knowledge. If called as a witness I could and
would testify to the matters stated below.
- 2)** I own Unit 5, Tract G, Sun City Unit Fifteen C, at 13610 N. 111th Avenue, Sun
City, Arizona, together with an undivided 1/50th interest in the common area of Tract

1 G. Exhibit A is a true and correct copy of my recorded Warranty Deed. TARA000001-
2 TARA000012 is a true and correct copy of the Association's Declaration, the instrument
3 recorded in the Official Records of Maricopa County at Docket 8008, Page 724, and
4 TARA000019 through TARA000025 are true and correct copies of the Association's
5 Articles of Incorporation.

6 3) I personally attended the Association's open Board meeting on June 15, 2024,
7 and, using my personal recording device, made a contemporaneous audio recording of
8 the open session. EX 5 AUDIO is a true and accurate recording of the statements made
9 and the proceedings that occurred during the recorded portion of that meeting. EX 5
10 TRANSCRIPT is a transcript of that recording that I prepared and personally reviewed
11 against the audio, and it is a true, accurate, and complete representation of the recorded
12 portion of the meeting. EX 5 AUDIO and EX 5 TRANSCRIPT are further authenticated
13 by my AUTHENTICATION of EX 5 Audio Recording and Transcript.

14 4) TARA000052 is a true and correct copy of the Association's notice of the June 15,
15 2024 meeting; TARA000053 through TARA000054 are a true and correct copy of the
16 Association's official minutes of that meeting. At that meeting I requested to offer
17 corrections to the March 16, 2024 minutes and Chairperson Mark Gottmann refused,
18 and the official minutes omit my request and his refusal.

19 5) The following are true and correct copies of Association board meeting minutes
20 that it produced in this case: TARA000050 through TARA000051 (March 16, 2024);
21 TARA000065 through TARA000067 (July 27, 2024); TARA000069 through TARA000070
22 (September 21, 2024); and TARA000077 through TARA000079 (February 22, 2025).
23 TARA002100 is a true and correct copy of the Association's July 16, 2024 notice of an
24 executive board meeting for July 19, 2024, and Exhibit 77 is a true and correct copy of

1 the Travis Law Firm invoice and the Association's Invoice for Payment for the July 19,
2 2024 services.

3 6) The following are true and correct copies of the Association's financial records
4 that it produced in this case: TARA000284 through TARA000303, including the HUD
5 fee at TARA000292; TARA000269 through TARA000283, including the materials
6 payments at TARA000275; TARA000210 through TARA000228, including the transfer
7 at TARA000216; TARA000536 through TARA000571, including the activity report at
8 TARA000551; and TARA001166 through TARA001167 (the July 23, 2024 payment
9 voucher).

10 7) The following are true and correct copies of Association emails that it produced
11 in this case: TARA000137 (December 10, 2024); TARA000148 (March 16, 2025);
12 TARA000158 through TARA000159 (April 3, 2025); TARA003397 through TARA003399
13 (the fee-removal chain).

14 8) Exhibit 1 (Disclosure) is a true and correct copy of the Association's Response to
15 Plaintiff's First Set of Requests for Admissions, dated December 29, 2025, in which the
16 Association admitted Request No. 4. Exhibit 4 (Disclosure) is a true and correct copy of
17 the Association's Response to Plaintiff's First Set of Requests for Production, including
18 its answers to Requests 2 and 3.

19 9) In discovery I requested the Association's board and executive-session meeting
20 minutes and records of its actions, and I have reviewed the Association's entire
21 document production in this case with a label naming the content in the file. The
22 production contains no minutes of any board meeting, and no unredacted record of
23 any action taken without a meeting, authorizing: the July 19, 2024 meeting or the Travis
24 Law Firm fees for it; the \$125 HUD fee; the May 2024 materials payments; the carport-

1 fascia work; the October 2024 repairs; the drip-system repairs; the \$35 fee waiver for
2 Director Buschart; the \$5,198.69 transfer; the reserve draw for the insurance premium;
3 or the calling of a meeting for the return of the 2025 budget ballots.

4 **10)** The \$35.00 fee the Association forgave for Director Stephanie Buschart was a
5 returned-payment fee charged to her individual account by the Association's bank or
6 its accountant, and the Association produced no unredacted record of any Board vote
7 to forgive it.

8 I declare under penalty of perjury that the foregoing is true and correct.

9
10 DATED this 10th day of July, 2026.

11 /s/ Lisa Marx

12 Lisa Marx, Declarant

13
14 **CERTIFICATE OF SERVICE**

15 I certify that on July 10, 2026, a true copy of the foregoing was served via e-file to the
16 Court and Defendant's Counsel and by email on counsel for Defendant:

17 Chuck Oldham — Chuck.Oldham@chdblawn.com

18 Ari Bowhay — Ari.Bowhay@chdblawn.com

19 /s/ Lisa Marx

20 Lisa Marx

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22 Sun City, AZ 85351

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