

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.,

DECLARATION OF LISA MARX
RE: CLAIMS 46 AND 91; 42, 87 and
127; 98 and 126

14
15 Honorable Adele Ponce

16
17 **DECLARATION OF LISA MARX**

18 I, Lisa Marx, declare as follows:

- 19 1. I am the Plaintiff in this action. I make this declaration in support of Plaintiff's
20 Separate Statement of Facts. I have personal knowledge of the facts stated below and, if
21 called as a witness, could and would competently testify to them.
- 22 2. I am an owner of a unit in, and a member of, the Tara Condominiums Association
23 (the "Association").
- 24 3. I own Unit 5, Tract G, of Tara Condominiums, together with an undivided 1/50th

1 interest in the common area of Tract G. Attached as Exhibit A is a true and correct copy
2 of my Warranty Deed.

3 4. The exhibits cited in Plaintiff's Separate Statement of Facts that bear "TARA" Bates
4 numbers, and Exhibits 161, 503, and 504, are true and correct copies of documents the
5 Association produced in discovery in this action.

6 5. I personally received the 2024-2025 Unit Owner Insurance Letter (TARA002160),
7 which notified me that my personal insurance rider obligation under By-Law § 2.05
8 had increased from \$10,000.00 to \$25,000.00 effective August 1, 2024.

9 6. The Association never called or held a special meeting of the membership to vote
10 on any change to By-Law § 2.05, By-Law § 1.09, or the master-policy deductible, and no
11 vote of the membership on any such change was ever taken, before or after the
12 deductible was changed. I am aware of no such meeting or vote.

13 7. On or about October 31, 2024, I received from the Association by email the 2025
14 Budget Ratification ballot and the accompanying budget materials.

15 8. On November 3, 2024, I wrote and sent to the Tara Board the letter attached as
16 Exhibit 178, which is a true and correct copy of that letter. In it, I stated that the 2025
17 Budget ballot and the manner of collecting ballots did not comply with A.R.S. §§ 33-
18 1250(C) and (D) and 33-1243(D), and I asked the Board to call a meeting for the ballots
19 to be returned in person.

20 9. The Association never noticed or held, and never produced to me in discovery any
21 notice, agenda, or minutes of, any open meeting of the Board or of the members at
22 which the 2025 budget was voted on or adopted or at which ballots were returned; and
23 the Board set no date for a meeting of the unit owners to consider ratification of the
24 2025 budget. I am aware of no such meeting.

- 1 10. Exhibit 10 is a true and accurate audio recording of the October 19, 2024 Budget
2 Committee meeting, and the accompanying transcript is, to the best of my knowledge
3 and ability, a true and accurate transcription of that recording; the original audio
4 recording is the best evidence and controls.
- 5 11. On December 9, 2024, I received from the Association by email the 2025 annual-
6 meeting packet and the Board-member ballot.
- 7 12. On December 11, 2024, I emailed Board Chairman Mark Gottmann stating that
8 denying members the right to turn in ballots in person violated A.R.S. § 33-1250, setting
9 out the text of subsection (C), and asking the Board to resubmit ballots that were
10 correct and that allowed for in-person voting.
- 11 13. On December 13, 2024, I emailed the Board requesting a printed copy of the 2025
12 annual-meeting package and, going forward, a printed copy of all communications
13 from the Association.
- 14 14. On December 16, 2024, I replied to the Board that I was entitled to request all
15 communications in print, just as others in our community receive them in printed form.
- 16 15. In prior years, based on my personal knowledge as an owner, the Association
17 provided printed annual-meeting packets to owners — delivering them by hand to
18 owners residing in the community and mailing them to owners residing out of town.
- 19 16. No open Board meeting, agenda, motion, or vote preceded the Association's
20 refusal to provide me printed copies, and I am aware of none.

21
22 I declare under penalty of perjury that the foregoing is true and correct.

23 DATED this 11th day of July, 2026.

24 /s/ Lisa Marx

1 Lisa Marx, Declarant
2

3 **CERTIFICATE OF SERVICE**

4 I certify that on July 11, 2026, a true copy of the foregoing was served via e-file to the
5 Court and Defendant's Counsel and by email on counsel for Defendant:

6 Chuck Oldham – Chuck.Oldham@chdblawn.com

7 Ari Bowhay – Ari.Bowhay@chdblawn.com

8 /s/ Lisa Marx

9 Lisa Marx

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