

1 Lisa Marx
2 13610 N. 111th Ave.
3 Sun City, AZ 85351
4 602-748-7781
5 aimtodogood@gmail.com
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 Mark Gottmann and Dennis Anderson
15 Defendant.

**MOTION TO STRIKE
DEFENDANT'S REPLY IN
SUPPORT OF MOTION TO STRIKE
PORTIONS OF AMENDED
COMPLAINT**

16 Honorable Randall H. Warner

17 **I. INTRODUCTION**

18 Plaintiff Lisa Marx moves, pursuant to Arizona Rules of Civil Procedure 7.1(f)(2)(c), to
19 strike Defendant Tara Condominium Association's (the "Association") Reply in Support
20 of Motion to Strike Portions of Amended Complaint ("Reply"). The Motion to Strike
21 was submitted on August 25, 2025, and Plaintiff filed her Response on August 26, 2025.
22 The Association's Motion to Strike Portions of Amended Complaint ("Motion") is at
23 issue. Pursuant to Rule 7.1(f)(2)(c), no reply memorandum may be filed unless the court
24

1 orders otherwise; no such order exists. Plaintiff requested Defendants rescind the Reply
2 on September 8, 2025, per ARCP 7.1(f)(2)(c), but received no reply. See Exhibit A. The
3 Reply is unauthorized and improper, and Plaintiff seeks to strike it, deny Defendant's
4 costs, and impose sanctions for bad faith conduct. No fees or costs should be awarded
5 to Defendant.

6 **II. ARGUMENT**

7 **A. Rule 7.1(f)(2)(C) Prohibits Unauthorized Replies**

8 Rule 7.1(f)(2)(C) bars reply memoranda for motions to strike unless ordered by the
9 court, promoting efficiency for disfavored motions. See Ariz. R. Civ. P. 7.1(f)(1);
10 "Disfavored Motions," Arizona Attorney Magazine (Oct. 1, 2024). No order exists.
11 Plaintiff's timely Response under Rule 7.1(f)(2)(B) addressed the Motion, but the Reply
12 is improper. Defendants' refusal to rescind (Exhibit A) supports striking and sanctions
13 for bad faith. See Ariz. R. Civ. P. 12(f); *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991).

14 **B. Request for Sanctions**

15 The unauthorized Reply, despite Plaintiff's rescission request and counsel's bad faith
16 conduct (Exhibit B), warrants sanctions under the Court's inherent authority to manage
17 proceedings. Sanctions are sought to deter future violations.

18 **III. CONCLUSION**

19 Plaintiff requests the Court strike the Reply, disregard its contents, deny the Motion,
20 deny Defendant's costs, and impose sanctions of \$100 according to A.R.S. 12-349 and
21 under the Court's inherent authority for bad faith, and any other sanctions the court
22 deems fit.

23
24 RESPECTFULLY SUBMITTED this 10th day of September, 2025

1 /s/Lisa Marx
2 13610 N. 111th Ave.
3 Sun City, AZ 85351
4 aimtodogood@gmail.com
5

6 EXHIBIT A

7 [Attached: Email 9-8-25 requesting Reply to Motion to Strike be rescinded.pdf]
8

9 EXHIBIT B

10 [Attached: Email reply from Chuck Oldham 9-8-25.pdf]
11

12 ORIGINAL of the foregoing e-filed

13 With Clerk of the Court

14 this 10th day of September, 2025
15

16 COPY of the foregoing mailed/e-mailed

17 this 10th day of September, 2025, to:

18 Charles H. Oldham, Esq.

19 1400 East Southern Avenue, Suite 400

20 Tempe, Arizona 85282-5691

21 Attorneys for Defendant

22 By: /s/Lisa Marx
23
24