

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,

12 vs.

13 Tara Condominiums Association, Inc.,
14 Defendant.

Case No. CV 2025-012980

**PLAINTIFF'S MOTION FOR LEAVE
TO FILE REPLY TO DEFENDANT'S
RESPONSE AND OBJECTION OUT
OF TIME PURSUANT TO
ARIZONA RULE OF CIVIL
PROCEDURE 6(b)(1)**

Honorable Randall H. Warner

17
18 Pursuant to Arizona Rule of Civil Procedure ("ARCP") 6(b)(1), Plaintiff Lisa Marx
19 respectfully moves this Court for leave to file her Reply to Defendant Tara
20 Condominium Association, Inc.'s Response and Objection to Plaintiff's Motion for
21 Leave to File Third Amended Complaint ("Reply") out of time. This motion is
22 supported by the attached Affidavit of Lisa Marx, which establishes good cause and
23 excusable neglect for the delay, as required by ARCP 6(b)(1). The proposed Reply is
24 attached as Exhibit A.

1 Defendant's Response and Objection was filed on October 13, 2025. Pursuant to ARCP
2 7.1(a)(3), Plaintiff's Reply was due within 5 days (excluding weekends and holidays), or
3 by October 20, 2025. As detailed in the attached Affidavit, Plaintiff was addressing
4 emergency medical needs as an inpatient from October 10, 2025, through October 21,
5 2025, and has been continuing outpatient treatment thereafter, which prevented timely
6 filing. This constitutes good cause and excusable neglect under ARCP 6(b)(1) and
7 Arizona case law (e.g., Walker v. Kendig, 107 Ariz. 510, 489 P.2d 849 (1971) (good cause
8 shown for medical emergencies)).

9 Granting this motion will not prejudice Defendant, as discovery is ongoing
10 (commenced September 4, 2025), trial date is set October 14, 2026 with granted
11 extension October 24, 2025, and the Reply addresses only the merits of the underlying
12 motion without introducing new evidence or claims. Denial would prejudice Plaintiff
13 by preventing full briefing on her Motion for Leave to File Third Amended Complaint.
14 Plaintiff did not confer with opposing counsel pursuant to ARCP 7.1(h) due to futility,
15 as evidenced by prior interactions and the adversarial nature of the Response and
16 Objection (see Certificate of Conferral in original Motion for Leave, filed September 22,
17 2025).

18 A proposed form of order is attached as Exhibit B.

19 DATED: October 29, 2025.

20 Respectfully submitted,

21 /s/ Lisa Marx

22 Lisa Marx, Pro Per

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3 Copies sent to:

4 ORIGINAL of the foregoing e-filed

5 this 29th day of October, 2025

6 Arizona Judicial Branch Statewide e-Filing System

7 **COPY of the foregoing e-mailed**

8 **This 29th day of October, 2025, to:**

9 Charles H. Oldham, Esq.

10 Chuck.Oldham@chdblawn.com

11 Ari Bowhay

12 ari.bowhay@chdblawn.com

13 By: Lisa Marx

14 /s/ Lisa Marx

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