

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2015-053091

09/09/2015

HONORABLE SUSAN M. BRNOVICH

CLERK OF THE COURT  
K. Hartley  
Deputy

R L WHITMER, et al.

ROBERT S PORTER

v.

HILTON CASITAS COUNCIL OF CO-  
OWNERS, et al.

ANDREW M FEDERHAR  
R COREY HILL

MINUTE ENTRY

Courtroom 112-NE

10:31 a.m. This is the time set for an Order to Show Cause if any, why the Court should not appoint a receiver. Present on behalf of Plaintiffs is counsel, Robert S. Porter. Present on behalf of Defendants is counsel, R. Corey Hill. Present on behalf of Intervenor, Procaccianti AZ II, L.P.'s is counsel, Andrew Federhar.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding Procaccianti AZ II, L.P.'s Motion to Intervene and Motion to Transfer Related Case to Judge John Hannah Under Maricopa County Local Rule 3.1(c).

Intervenor Procaccianti AZ II, L.P.'s has filed a Motion to Transfer in this cause number and in cause number CV2012-051066 which is assigned to Judge Hannah. The Court has discussed this matter with Judge Hannah and it is determined that since his case has the lower cause number, he will be making the ruling on the Motion to Transfer.

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The Court determines that the Plaintiff's Motion for Order to Show Cause RE: Verified Complaint for Appointment of a Receiver is not a situation that requires an expedited ruling.

The Court will take no action at this time on Plaintiff's Motion for Order to Show Cause RE: Verified Complaint for Appointment of a Receiver until Judge Hannah rules on the Intervenor's Motion to Transfer.

If Judge Hannah grants the Motion to Transfer, a hearing on Plaintiff's Motion for Order to Show Cause RE: Verified Complaint for Appointment of a Receiver will be set in Judge Hannah's division. If the Motion to Transfer is denied, a hearing regarding same will be set in Judge Brnovich's division.

Discussion is held regarding Procaccianti AZ II, L.P.'s Motion to Intervene. Plaintiff will file their Response by September 15, 2015.

Intervenor orally requests to file their Reply by September 28, 2015.

There being no objection,

IT IS ORDERED granting Intervenor Procaccianti AZ II, L.P.'s oral request and extending the deadline to file their Reply no later than September 28, 2015.

10:38 a.m. Matter concludes.