

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2012-051066
CV 2014-054346
CV 2015-053091
CV 2016-050379

06/03/2024

HONORABLE MELISSA IYER JULIAN

CLERK OF THE COURT
I. Ostrander
Deputy

DIANA R SHAFFER, et al.

ROBERT S PORTER

v.

PROCACCIANTI A Z, I I, L P, et al.

ANDREW M FEDERHAR

BANK OF AMERICA N A
DE5-024-02-08
P O BOX 15047
WILMINGTON DE 19850
MARICOPA COUNTY CREDITOR
NO ADDRESS ON RECORD
HANA ELI
6333 N SCOTTSDALE RD CASITA NO
18
SCOTTSDALE AZ 85250
ZADOK ELI
6333 N SCOTTSDALE RD CASITA NO
18
SCOTTSDALE AZ 85250
R COREY HILL
COLEEN LONDON
NO ADDRESS ON RECORD
DAVID E SHEIN
LAMAR WHITMER
NO ADDRESS ON RECORD
COURT OF APPEALS
DOCKET CV TX
JUDGE JULIAN

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Order Directing Clerk to Correct the Record

Pursuant to Plaintiff's motion and the Court of Appeals' *Order Re: Motion to Reinstate*, filed April 29, 2024, this Court finds that the following items filed only in Case No. CV2012-051066 should have been included in the Clerk's record in this matter. This Court erred in directing the parties by minute entry on February 6, 2023, to file all motions only in the 2012 case despite the fact that this matter was not consolidated with that case.

To correct the record in this matter and prevent future errors:

IT IS ORDERED directing the Clerk of the Court to correct the record in this case by filing the following items already filed under case number CV2012-051066 in the docket in this matter:

- **Docket Item # 717:** Plaintiff's Rule 60(d)(3) Motion to Vacate and Set Aside Judgments in CV2012-051066 (consolidated with CV2012-000363), CV2014-054346 and CV2016-050379), filed September 6, 2023;
- **Docket Item # 718:** Defendant Hilton Casitas' Joinder in Procaccianti's Response to Plaintiffs' Rule 60(d)(3) Motion to Vacate and Set Aside the Judgment in Each of CV2012-051066, CV2012-000363, CV2014-054346, and CV2016-050379, filed September 22, 2023;
- **Docket Item #719:** Procaccianti's Response to Plaintiffs' Rule 60(d)(3) Motion to Vacate and Set Aside the Judgment in CV2012-051066 (consolidated with CV2012-000363), CV2014-054346 and CV2016-050379, filed September 26, 2023;
- **Docket Item #720:** Plaintiffs' Reply in Support of Their Rule 60(d)(3) Motion to Vacate and Set Aside the Judgments in CV2012-051066 (consolidated with CV2012-000363), CV2014-054346 and CV2016-050379, filed October 3, 2023;
- **Docket Item #721:** Order Denying Plaintiffs' Rule 60(d)(3) Motion to Vacate, filed October 11, 2023;
- **Docket Item #722:** Plaintiffs' Plaintiffs' Rule 59(a)(1)(F) and (H) Motion to Vacate the Court's October 12, 2023 Ruling and Grant New Trial, filed October 13, 2023;

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- **Docket Item #723**: Procaccianti AZ II, LP's Response to Plaintiffs' Rule 59(a)(1)(F) and (H) Motion to Vacate the Court's October 12, 2023 Ruling and Grant a New Trial, filed October 17, 2023;
- **Docket Item #724**: Defendant Hilton Casita's Response to Plaintiffs' Rule 59(a)(1)(f) & (H) Motion to Vacate and for New Trial, filed October 18, 2023;
- **Docket Item #725**: Reply in Support of Plaintiffs' Rule 59(a)(1)(F) and (H) Motion to Vacate the Court's October 12, 2023 Ruling and Grant a New Trial, filed October 30, 2023;
- **Docket Item #727**: Plaintiffs' Request to Allow the Depositions of Robert Westbrook, Sam Richardson, Corey Hill and Augustus Shaw, filed November 7, 2023;
- **Docket Item #728**: Proccaccianti AZ II, LP's Response to Plaintiffs' Request to Allow the Depositions of Robert Westbrook, Sam Richardson, Corey Hill and Augustus Shaw, filed November 15, 2023;
- **Docket Item #729**: Defendant Hilton Casitas's Response to Plaintiffs' Request to Allow Depositions, filed November 15, 2023;
- **Docket Item #730**: Plaintiffs' Notice of Their Request for a Continuance of the Stay, filed November 15, 2023;
- **Docket Item #731**: Plaintiffs' Request for a Status Conference, filed November 16, 2023;
- **Docket Item #732**: Plaintiffs' Reply in Support of Their Request to Allow the Depositions of Robert Westbrook, Sam Richardson, Corey Hill and Augustus Shaw, filed November 27, 2023;
- **Docket Item #734**: Hilton Casitas' Objection to Plaintiffs' Request for Status Conference, filed December 8, 2023;
- **Docket Item #735**: Hilton Casitas' Suppl. to Objection to Plaintiffs' Request for Status Conference, filed December 8, 2023;
- **Docket Item #736**: Procaccianti AZ II, LP's Objection to Plaintiffs' Request for Status Conference, filed December 11, 2023;
- **Docket Item #737**: Plaintiffs' Motion to Allow the Request for the Production of Documents Pursuant to Rule 26 and 34, filed December 19, 2023;

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- **Docket Item #739**: Combined Reply to Defendant Hilton Casitas Council of Homeowners' Objection and Suppl. Objection and Procaccianti's Objection to Plaintiffs' Request for Status Conference, filed December 20, 2023;
- **Docket Item #738**: Order Denying Motion for New Trial and Taking No Action for Lack of Jurisdiction on Other Pending Requests, filed December 22, 2023.

IT IS FURTHER ORDERED vacating the order from February 6, 2023. Any request for relief in this matter shall be filed in this matter and not under any other case number.