

JUN - 9 2021

2:45pm

S. Tavares, Deputy

1 R. L. Whitmer
2 6333 N. Scottsdale Rd.
3 Casita 21
4 Scottsdale, Arizona 85250
5 602.531.2615
6 Pro Per

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

9 R. L. WHITMER,

10 Plaintiff.

11 **CV2021-050888**

12 v.

13 **REQUEST FOR AN EXTENSION**
14 **TO RESPOND TO DEFENDANT'S**
15 **MOTION TO DISMISS**

16 HILTON CASITAS HOMEOWNERS
17 ASSOCIATION, also known as
18 HILTON CASITAS COUNCIL OF
19 HOMEOWNERS, also known as
20 COUNCIL OF CO-OWNERS, also
21 known as HILTON CASITAS
22 COUNCIL OF CO-OWNERS

23 Defendant.

24 (Assigned to the
25 Honorable Sara Agne)

26 Accelerated Consideration
27 Requested

28 Plaintiff respectfully requests the Court to extend the June 15, 2020
deadline to respond to the Defendant's motion to dismiss to until after the Court
decides the Plaintiff's motion to strike the Defendant's motion to dismiss.

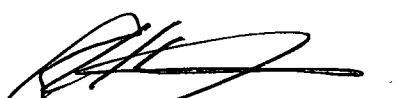
The Defendant's attorney was asked to stipulate to the extension and
objects to the extension.

Because the Defendant has improperly raised the issue of constitutionality,
the Plaintiff's response will be affected by the Court decision on the motion to
strike.

Accordingly, as the Defendant will not suffer any harm or prejudice from the
Court granting the extension, the Court should grant requested extension that the
Plaintiff's response shall be due after the Court decides the motion to strike. A
draft order is attached here to.

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Dated this 9th day of June, 2021.


R. L. Whitmer

ORIGINAL filed this
27th day of May, 2021,
with the Clerk of the Court;

and a COPY mailed and emailed this same date to:
Tim Butterfield
Carpenter Hazelwood
1400 E. Southern Ave., Ste. 400
Tempe, AZ 85282

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7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

9 R. L. WHITMER,
10 Plaintiff,

CV2021-050888

11 v.

**ORDER EXTENDING THE
DEADLINE FOR THE PLAINTIFF
TO RESPOND TO DEFENDANT'S
MOTION TO DISMISS**

12 HILTON CASITAS HOMEOWNERS
13 ASSOCIATION, also known as HILTON
14 CASITAS COUNCIL OF HOMEOWNERS,
15 also known as COUNCIL OF CO-
16 OWNERS, also known as HILTON
17 CASITAS COUNCIL OF CO-OWNERS,

(Assigned to Honorable
Sara Agne)

18 Defendant.

19 The Court has considered the Plaintiff's request to extend the deadline to
20 respond to the Defendant's motion to dismiss. For reasons set forth in the
21 Plaintiff's request and good cause appearing;

22 IT IS ORDERED that if the Plaintiff's motion to strike is granted no
23 response is required. However, if it is denied, the Plaintiff shall respond to the
24 Defendant's motion to dismiss within 10 days of the Court denying the motion to
25 strike.

26 Dated this _____ day of June 2021.

27 _____
28 Hon. Sara Agne
Arizona Superior Court, Maricopa County