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**COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION ONE**

ROBERT R. HAWK and CECILIA J.  
HAWK,

Plaintiffs/Appellees,

vs.

PC VILLAGE ASSOCIATION, INC.,

Defendant/Appellant.

No. 1 CA-CV 12-0362

Coconino County Superior Court  
No. CV2011-00776

**MOTION FOR LEAVE TO FILE  
AMICUS CURIAE BRIEF**

Pursuant to Arizona Rules of Civil Appellate Procedure, Rule 16, the Arizona Association of REALTORS® (“AAR”) petitions the Court for leave to

file an Amicus Curiae Brief, which is lodged herewith. AAR respectfully requests leave to file an Amicus Curiae Brief for the reasons set forth in the attached Memorandum of Points and Authorities, which is incorporated herein by reference.

RESPECTFULLY SUBMITTED this **2<sup>nd</sup>** day of October, 2012.

MACK DRUCKER & WATSON, P.L.C.

*/s/ Richard V. Mack*

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### **MEMORANDUM OF POINTS AND AUTHORITIES**

AAR respectfully requests the Court to grant its Motion for Leave to File an Amicus Curiae Brief in this matter. AAR is a trade association which represents over 38,000 REALTOR® members, who are licensed real estate brokers and agents throughout the State of Arizona. AAR serves its membership by providing and promoting services to enhance the ability of its members to conduct real property sales with integrity and competency.

AAR has a vital interest in this litigation. The “For Sale” sign at issue in this case belongs to an AAR member. Further, virtually all AAR members use “For Sale” signs in marketing properties for sale. This Court’s decision will therefore have a direct affect on how AAR members perform their job and affect how thousands of Arizona property owners market their properties.

AAR has read the pleadings and briefs of both parties. AAR can present additional, substantive arguments supporting the position of the Plaintiffs/Appellees with appropriate citation of authorities.

For the foregoing reasons, AAR respectfully requests the Court to grant its Motion for Leave to File an Amicus Curiae Brief which is lodged herewith.

RESPECTFULLY SUBMITTED this **2nd** day of October, 2012.

MACK DRUCKER & WATSON, P.L.C.

*/s/ Richard V. Mack*

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ORIGINAL of the foregoing filed  
via Division One of the Arizona Court  
of Appeals' electronic filing system  
this **2nd** day of October 2012 and  
COPIES mailed to:

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*/s/ Claire Bailey* \_\_\_\_\_