

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2024-022259

04/09/2025

HONORABLE MICHAEL D. GORDON

CLERK OF THE COURT  
Y. Rodriguez  
Deputy

RONALD C RUSS

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6797 W EVERGREEN TER  
PEORIA AZ 85383

v.

ROB LEWIS, et al.

MATTHEW S HOLT

JUDGE GORDON

MINUTE ENTRY

Pending is “*Plaintiff Emergency Motion Requesting Leave for Addtl 8 days to Submit: Reply to Defendant Answer to Plaintiff’s Rqst for 60-Day Stay of Case and Also: To Reply to Motion to Dismiss*” (filed 3/13/25) (Second Emergency Motion); and (2) “*Plaintiff Emergency Motion Requesting Leave for Addt’l 2 Days to Submit: Reply to Defendant Answer to Plaintiff’s Rqst to Reply to Motion to Dismiss by Defense Party (Also Oppstn Reply to Oppstn to 60-Day Stay Request: For Good Cause ‘Health’ and Addtl Good Cause Reasons.*” (filed 3/24/25) (Third Emergency Motion).

The Court has reviewed the Second and Third Emergency Motion and the Sonora Mountain Defendants’<sup>1</sup> Response to the Third Emergency Motion (filed 4/4/25). The Court has also reviewed CHDB Defendants’<sup>2</sup> Joinder and Responses to all motions and has considered the entire file.

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<sup>1</sup> Defendants Rob Lewis, Liz Reynolds, A.A.M. (AKA Associated Asset Management), Sonoran Mountain Ranch Homeowners Association (Sonora Mountain HOA), Robert Galloway, Vickie Bertini, Amber Colclough, Bob Bengford, Corey Rice, and Dave Heckler.

<sup>2</sup> Carpenter, Hazlewood, Delgado & Bolen, LLP ("CHDB"); Joshua Bolen; Charlene Cruz; Nikita Patel; Lydia Pierce-Linsemeier; and Michelle Wellnitz.

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The Court previously ruled on Plaintiff's Emergency Motion for Stay of Case for 60 Days (Motion to Stay) filed February 13, 2025, having denied it on March 14, 2025 (March 14 Ruling). The March 14 Ruling applies equally to the CHDB Defendants.

The Court has also granted the Sonora Mountain Defendants' Motion to Dismiss filed February 19, 2025, in the March 14 Ruling. The Court granted Plaintiff leave to file an Amended Complaint within 20 days which expired on April 7, 2025.

Plaintiff nonetheless filed a Response to the Sonora Defendants' Motion to Dismiss, on March 27, 2025, captioned "*Plaintiff Answer/Reply to Defendant Motion to Dismiss*", and the Sonora Defendants filed their Reply.<sup>3</sup> Having reviewed these filings, the Court affirms the March 14 Ruling.

The Court now turns to the Second Emergency Motion wherein in Plaintiff asks for an extension of time to file a Response to the Sonoran Defendants' Motion to Dismiss and an extension to file a Reply to the Motion to Stay. As noted, the Court has already considered the "Response/Answer Plaintiff Answer/Reply to Defendant Motion to Dismiss," and this portion of Second Emergency Motion is therefore moot. The Court now finds an absence of good cause with respect to extending the time to file a Reply in support of the Motion to Stay, and the Court will deny this portion of the Second Emergency Motion.

With respect to the Third Emergency Motion, Plaintiff asks for additional time to file a Response to the Sonoran Defendants' Motion to Dismiss – which was filed and now has been considered by the Court. Thus, the Third Emergency Motion is moot.

Accordingly,

**IT IS ORDERED** denying the Second Emergency Motion that seeks an extension of time to file a Reply to the Motion to Stay.

**IT IS FURTHER ORDERED** denying the Second Emergency Motion that seeks an extension of time to file a Response to the Sonoran Defendants' Motion to Dismiss, as moot.

**IT IS FURTHER ORDERED** denying the Third Emergency Motion, as moot.

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<sup>3</sup> The Sonora Defendants' Reply was filed in conjunction with their Response to the Third Emergency Motion.