

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2012-094261

08/21/2014

HON. MARK F. ACETO

CLERK OF THE COURT
M. Scott
Deputy

TROON RIDGE ESTATES I I I & I V
HOMEOWNERS ASSOCIATION

JOSHUA M BOLEN

v.

4 A A R HOLDINGS L L C, et al.

ELIJAH W ROISOV

SCOTTSDALE COMMUNITY
ASSOCIATION
NO ADDRESS ON RECORD
CITIBANK SOUTH DAKOTA N A
NO ADDRESS ON RECORD
MICHAEL D RIPSON
28695 N 94TH PL
SCOTTSDALE AZ 85262
LINDSEY O STEARNS
ANDREW J VAN LOON

MINUTE ENTRY

The Court makes note of the following:

- On February 5, 2014, Forange filed a “Motion for Partial Summary Judgment”. In that motion, Forange did not seek summary judgment on any claim for attorney fees.
- On March 12, 2014, the HOA and its attorneys (“Defendants”) filed a “Cross-Motion for Summary Judgment”. Therein, Defendants did not argue that they were entitled to attorney fees as a matter of law. That said, in the last sentence of that motion, Defendants requested an award of fees.

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- On August 12, 2014, the Court ruled on the above-discussed motions.
- On August 18, 2014, Forange filed a “Motion for Clarification”. Therein, Forange accurately notes that the Court did not comment in its summary judgment ruling on Defendants’ request for an award of fees.
- In its “Motion for Partial Summary Judgment”, Forange did not seek summary judgment on Defendants’ attorney fee claim. That said, Forange now strangely seeks through its “Motion for Clarification” what would in essence be summary judgment in favor of Forange on Defendants’ claim for attorney fees.

For purposes of clarification, the Court notes that it has always been the Court’s intention to rule on any request for an award of attorney fees after all claims in this consolidated case have been resolved.