

1 **Law Offices of**
2 **J. Roger Wood, PLLC**
3 **Erin S. Iungerich, Attorney**
4 **(#031590)**
5 **James B. Sweeney, Attorney**
6 **(#032658)**
7 **4700 South Mill Avenue, Suite 3**
8 **Tempe, Arizona 85282**
9 **Phone: (602) 324-7126**
10 **Fax: (888) 374-0648**
11 **Email: info@jrogerwoodlaw.com**

12 *Attorneys for Defendant*

13 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
14 **IN AND FOR THE COUNTY OF MARICOPA**

15 **TURTLE ROCK I I I HOMEOWNERS**
16 **ASSOCIATION, an Arizona non-profit**
17 **corporation;**

18 **Plaintiff,**

19 **v.**

20 **LYNNE A. FISHER, an unmarried woman,**

21 **Defendant.**

22 **Case No. CV2015-095897**

23 **DEFENDANT'S NOTICE OF**
24 **CHANGE OF JUDGE AS A**
25 **MATTER OF RIGHT**

26 **Defendant, by and through undersigned counsel and pursuant to the**
27 **provisions of Rule 42(f), Ariz. R.Civ. P., hereby exercises her right to a change of**
28 **judge in this matter. To that end, Defendant files this notice seeking a change of**
Judge from the Honorable David Udall to another judge of this Superior Court
as a matter of right. Undersigned counsel certifies that:

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
1. This Notice of Change of Judge is timely under the Rules;
 2. The right to secure a change of judge by notice has not been previously waived;
 3. The current judge has made no substantive rulings in the case; and
 4. Defendant has not been previously granted a change of judge as a matter of right in this case.

WHEREFORE, Defendant requests the matter be transferred to the presiding judge for reassignment.

RESPECTFULLY SUBMITTED this 9th day of December, 2015.

The Law Offices of J. Roger Wood, PLLC

By: 

Erin S. Iungerich, Esq.
James B. Sweeney, Esq.
4700 South Mill Avenue, Suite 3
Tempe, Arizona 85282
Attorneys for Defendant

23 Certificate of Mailing:
24 Original of the foregoing filed
25 December 9, 2015, with:

26 Turbo Court
27 Maricopa County Superior Court
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Copies of the foregoing mailed
December 9, 2015 to:

Scott L. Potter, Esq.
Jackson White, P.C.
40 North Center Street, Suite 200
Mesa, AZ 85201
Attorney for Plaintiff

By: SLP