

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2024-090662

01/21/2025

HONORABLE ADAM D. DRIGGS

CLERK OF THE COURT  
C. Curley  
Deputy

VAL VISTA LAKES COMMUNITY  
ASSOCIATION, THE

CHARLES B SELLERS

v.

BEN J RODRIGUEZ, et al.

BEN J RODRIGUEZ  
1827 E CORTEZ DR  
GILBERT AZ 85234

STEPHANIE L COX  
1827 E CORTEZ DR  
GILBERT AZ 85234  
MEGGAN ELIZABETH MEDINA  
JUDGE DRIGGS

MINUTE ENTRY

The Court has reviewed the Plaintiff's Motion for Summary Judgment filed October 2, 2024, the Defendants' response titled Motion to Deny Plaintiff's Motion for Summary Judgment or in the alternative to Extend Time to Respond filed November 1, 2024, and Plaintiff's Reply in Support of Motion for Summary Judgment filed November 20, 2024.

Plaintiff asserts that they are entitled to a judgment in the amount of \$1,003.64, which represents past due assessments, service fees, late charges, and/or other fees.

Defendants assert that they are not in breach of contract, and that disputed issues of material fact exist. Defendants dispute portions of Plaintiff's Statement of Facts and raises questions related to whether counsel for Plaintiffs adequately communicated with them in their efforts to resolve the

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dispute and whether they provided sufficient information to Defendants. Defendants' response did not conform to Rule 56 of the Arizona Rules of Civil Procedure, which they appear to acknowledge, in that they requested additional time to respond so that they can retain an attorney.

**THE COURT FINDS** that it is reasonable to allow Defendants an additional 30 days to retain counsel and file a Response to the Plaintiff's Motion for Summary Judgment and/or attempt to resolve the dispute with Plaintiff without further increasing attorney's fees.

**THE COURT FURTHER FINDS** that if the Defendants are unable to retain counsel, they may still file a proper response in the form prescribed by Rule 56, including conforming with Rule 56(c)(3)(A), specifying: (i) the numbered paragraphs in the moving party's statement that are disputed; and (ii) those facts that establish a genuine dispute or otherwise preclude summary judgment in favor of the moving party.

**IT IS ORDERED** granting Defendant's request to extend time to respond by allowing Defendants additional time to file a response to Plaintiff's Motion for Summary **Judgment no later than February 21, 2025.**