

In the Superior Court of the State of Arizona  
In and For the County of Maricopa

**CV2016-055080**

(Please Type or Print)

Plaintiff's Attorney \_\_\_\_\_

Attorney Bar Number \_\_\_\_\_

MICHAEL K. JEANES, CLERK  
BY \_\_\_\_\_  
DEC

*P. Sheppardson*

Is Interpreter Needed?  Yes  No  
If yes, what language: \_\_\_\_\_

2016 DEC 19 PM 2:29

Plaintiff's Name(s): (List all) Plaintiff's Address: Phone #: Email Address:  
R. L. Whitmer 6333 N. Scottsdale Road, Casita 21, Scottsdale, AZ 85250 602-531-2615 rlwnaz@gmail.com

(List additional plaintiffs on page two and/or attach a separate sheet.)

Defendant's Name(s): (List All) Hilton Casitas HOA, and Michael Bengson, president

(List additional defendants on page two and/or attach a separate sheet)

EMERGENCY ORDER SOUGHT:  Temporary Restraining Order  Provisional Remedy  OSC

Election Challenge  Employer Sanction  Other \_\_\_\_\_  
(Specify)

**RULE 8(i) COMPLEX LITIGATION APPLIES.** Rule 8(i) of the Rules of Civil Procedure defines a "Complex Case" as civil actions that require continuous judicial management. A typical case involves a large number of witnesses, a substantial amount of documentary evidence, and a large number of separately represented parties.

(Mark appropriate box on page two as to complexity, **in addition** to the Nature of Action case category.)

**THIS CASE IS ELIGIBLE FOR THE COMMERCIAL COURT UNDER EXPERIMENTAL RULE 8.1.** (Maricopa County only.) Rule 8.1 defines a commercial case and establishes eligibility criteria for the commercial court. Generally, a commercial case primarily involves issues arising from a business contract or business transaction. However, consumer transactions are not eligible. A consumer transaction is one that is primarily for personal, family or household purposes. **Please review Rule 8.1 for a complete list of the criteria.** See <http://www.superiorcourt.maricopa.gov/commercial-court/>. You must check this box if this is an eligible commercial case. **In addition, mark the appropriate box below in the "Nature of Action" case category.** The words "commercial court assignment requested" must appear in the caption of the original complaint.

**NATURE OF ACTION**

(Place an "X" next to the **one** case category that most accurately describes your primary case.)

**100 TORT MOTOR VEHICLE:**

- 101 Non-Death/Personal Injury
- 102 Property Damage
- 103 Wrongful Death

**110 TORT NON-MOTOR VEHICLE:**

- 111 Negligence
- 112 Product Liability - Asbestos
- 112 Product Liability - Tobacco
- 112 Product Liability - Toxic/Other
- 113 Intentional Tort

- 114 Property Damage
- 115 Legal Malpractice
- 115 Malpractice - Other professional
- 117 Premises Liability
- 118 Slander/Libel/Defamation
- 116 Other (Specify) \_\_\_\_\_

**120 MEDICAL MALPRACTICE:**

- 121 Physician M.D.  123 Hospital
- 122 Physician D.O.  124 Other

**130 CONTRACTS:**

- 131 Account (Open or Stated)
- 132 Promissory Note
- 133 Foreclosure
- 138 Buyer-Plaintiff
- 139 Fraud
- 134 Other Contract (i.e. Breach of Contract)
- 135 Excess Proceeds-Sale
- Construction Defects (Residential/Commercial)
  - 136 Six to Nineteen Structures
  - 137 Twenty or More Structures

**150-199 OTHER CIVIL CASE TYPES:**

- 156 Eminent Domain/Condemnation
- 151 Eviction Actions (Forcible and Special Detainers)
- 152 Change of Name
- 153 Transcript of Judgment
- 154 Foreign Judgment
- 158 Quiet Title
- 160 Forfeiture
- 175 Election Challenge
- 179 NCC-Employer Sanction Action  
(A.R.S. §23-212)
- 180 Injunction against Workplace Harassment
- 181 Injunction against Harassment
- 182 Civil Penalty
- 186 Water Rights (Not General Stream Adjudication)
- 187 Real Property
- Special Action against Lower Courts  
(See lower court appeal cover sheet in Maricopa)

- 194 Immigration Enforcement Challenge  
(§§1-501, 1-502, 11-1051)

**150-199 UNCLASSIFIED CIVIL:**

- Administrative Review  
(See lower court appeal cover sheet in Maricopa)
- 150 Tax Appeal  
(All other tax matters must be filed in the AZ Tax Court)
- 155 Declaratory Judgment
- 157 Habeas Corpus
- 184 Landlord Tenant Dispute- Other
- 190 Declaration of Factual Innocence  
(A.R.S. §12-771)
- 191 Declaration of Factual Improper Party Status
- 193 Vulnerable Adult (A.R.S. §46-451)
- 165 Tribal Judgment
- 167 Structured Settlement (A.R.S. §12-2901)
- 169 Attorney Conservatorships (State Bar)
- 170 Unauthorized Practice of Law (State Bar)
- 171 Out-of-State Deposition for Foreign Jurisdiction
- 172 Secure Attendance of Prisoner
- 173 Assurance of Discontinuance
- 174 In-State Deposition for Foreign Jurisdiction
- 176 Eminent Domain- Light Rail Only
- 177 Interpleader- Automobile Only
- 178 Delayed Birth Certificate (A.R.S. §36-333.03)
- 183 Employment Dispute- Discrimination
- 185 Employment Dispute-Other
- 195(a) Amendment of Marriage License
- 195(b) Amendment of Birth Certificate
- 163 Other Verified Complaint, Contempt/Enforcement  
(Specify)

**COMPLEXITY OF THE CASE**

If you marked the box on page one indicating that Complex Litigation applies, place an "X" in the box of no less than one of the following:

- Antitrust/Trade Regulation
- Construction Defect with many parties or structures
- Mass Tort
- Securities Litigation with many parties
- Environmental Toxic Tort with many parties
- Class Action Claims
- Insurance Coverage Claims arising from the above-listed case types
- A Complex Case as defined by Rule 8(i) ARCP

**Additional Plaintiff(s)**

\_\_\_\_\_  
\_\_\_\_\_

**Additional Defendant(s)**

\_\_\_\_\_  
\_\_\_\_\_