

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 \_\_\_\_\_ DEP

*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)**

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