



AMENDED

FILED
5/18/18 3:13pm
CHRIS DEROSE, Clerk
By M. Varela
M. Varela, Deput.

**Electronic Index of Record
MAR Case # CV2016-055080**

| No. | Document Name | Filed Date |
|-----|---|----------------------|
| 1. | VERIFIED COMPLAINT FOR AN ORDER TO SHOW CAUSE | Dec. 19, 2016 |
| 2. | CIVIL COVER SHEET | Dec. 19, 2016 |
| 3. | ORDER TO APPEAR (ORDER TO SHOW CAUSE) REGARDING ENFORCEMENT OF AN ADMINISTRATIVE LAW ORDER | Dec. 20, 2016 |
| 4. | VERIFIED MOTION FOR CONTINUANCE | Dec. 27, 2016 |
| 5. | PETITIONER'S NOTICE OF WITHDRAWAL OF THEIR VERIFIED MOTION FOR CONTINUANCE | Dec. 30, 2016 |
| 6. | ORDER TO APPEAR | Jan. 5, 2017 |
| 7. | AFFIDAVIT OF SERVICE | Jan. 5, 2017 |
| 8. | ME: HEARING RESET [01/05/2017] | Jan. 6, 2017 |
| 9. | DEFENDANTS' ANSWER TO COMPLAINT | Jan. 18, 2017 |
| 10. | ORDER TO SHOW CAUSE HEARING MEMORANDUM | Jan. 25, 2017 |
| 11. | ME: HEARING SET [01/27/2017] | Jan. 30, 2017 |
| 12. | NOTICE OF APPEARANCE OF ADDITIONAL COUNSEL WITHIN SAME LAW FIRM | Feb. 16, 2017 |
| 13. | EVIDENTIARY HEARING MEMORANDUM | Feb. 17, 2017 |
| 14. | EXHIBITS FOR EVIDENTIARY HEARING | Feb. 17, 2017 |
| 15. | AFFIDAVIT OS SERVICE OF SUBPOENA | Feb. 17, 2017 |
| 16. | AFFIDAVIT OS SERVICE OF SUBPOENA | Feb. 17, 2017 |
| 17. | AFFIDAVIT OS SERVICE OF SUBPOENA | Feb. 17, 2017 |
| 18. | EXPEDITED MOTION TO CONTINUE THE FEBRUARY 28, 2017 EVIDENTIARY HEARING AND CORRESPONDING DEADLINE TO SUBMIT EVIDENCE BY FEBRUARY 17, 2017 | Feb. 21, 2017 |
| 19. | EX PARTE APPLICATION FOR SUBSTITUTION OF COUNSEL WITH CLIENT CONSENT | Feb. 21, 2017 |
| 20. | ORDER RESETTING FEBRUARY 28, 2017 EVIDENTIARY HEARING AND CORRESPONDING DEADLINE TO SUBMIT EVIDENCE BY FEBRUARY 17, 2017 | Feb. 23, 2017 |



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| 21. | ORDER GRANTING EX PARTE APPLICATION FOR SUBSTITUTION OF COUNSEL WITH CLIENT CONSENT | Feb. 24, 2017 |
| 22. | MOTION TO DISMISS | Feb. 28, 2017 |
| 23. | RESPONDENTS' AMENDED AND RESTATED LIST OF EXHIBITS AND WITNESSES IN SUPPORT OF THE ORDER TO SHOW CAUSE/ EVIDENTIARY HEARING | Mar. 3, 2017 |
| 24. | AMENDED AND RESTATED EVIDENTIARY HEARING MEMORANDUM | Mar. 3, 2017 |
| 25. | AMENDED AND RESTATED EXHIBITS FOR EVIDENTIARY HEARING | Mar. 3, 2017 |
| 26. | ME: RULING [03/02/2017] | Mar. 6, 2017 |
| 27. | RESPONSE TO DEFENDANTS' MOTION TO DISMISS | Mar. 10, 2017 |
| 28. | NOTICE OF ERRATA | Mar. 14, 2017 |
| 29. | REPLY IN SUPPORT OF RESPONDENTS' MOTION TO DISMISS | Mar. 16, 2017 |
| 30. | ME: RULING [03/20/2017] | Mar. 21, 2017 |
| 31. | ME: ORDER RELEASING EXHIBIT [03/20/2017] | Mar. 21, 2017 |
| 32. | MOTION FOR RECONSIDERATION UNDER RULE 7.1(E) | Mar. 23, 2017 |
| 33. | ME: RULING [03/27/2017] | Mar. 29, 2017 |
| 34. | RESPONSE TO MOTION FOR RECONSIDERATION UNDER RULE 7.1(E) | Apr. 5, 2017 |
| 35. | MOTION AND APPLICATION FOR AWARD OF ATTORNEY FEES | Apr. 13, 2017 |
| 36. | AFFIDAVIT OF AUGUSTUS H. SHAW VI IN SUPPORT OF APPLICATION FOR AWARD OF ATTORNEY FEES | Apr. 13, 2017 |
| 37. | STATEMENT OF COSTS AND NOTICE OF TAXATION | Apr. 13, 2017 |
| 38. | DECLARATION OF PAIGE A. MARTIN IN SUPPORT OF DEFENDANTS' MOTION FOR AWARD OF ATTORNEYS' FEES | Apr. 13, 2017 |
| 39. | STATEMENT OF COSTS AND NOTICE OF TAXATION OF COSTS | Apr. 13, 2017 |
| 40. | NOTICE OF LODGING PROPOSED FORM OF JUDGMENT | Apr. 13, 2017 |



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| 41. | REPLY IN SUPPORT OF MOTION FOR RECONSIDERATION UNDER RULE 7.1(E) | Apr. 18, 2017 |
| 42. | REQUEST FOR CONTINUANCE FOR PLAINTIFF'S RESPONSE TO DEFENDANT'S APPLICATION FOR AN AWARD OF ATTORNEY FEES AND COSTS | Apr. 25, 2017 |
| 43. | ME: RULING [04/26/2017] | Apr. 27, 2017 |
| 44. | PLAINTIFF'S OBJECTION TO DEFENDANTS' MOTION AND APPLICATION FOR AN AWARD OF ATTORNEY FEES AND COSTS AND TO THEIR PROPOSED FORM OF JUDGMENT | May. 2, 2017 |
| 45. | RESPONDENTS' REPLY IN SUPPORT OF MOTION AND APPLICATION FOR AWARD OF ATTORNEY FEES | May. 10, 2017 |
| 46. | ME: RULING [05/12/2017] | May. 16, 2017 |
| 47. | SUPERIOR COURT JUDGMENT | May. 16, 2017 |
| 48. | ME: ORDER ENTERED BY COURT [05/19/2017] | May. 22, 2017 |
| 49. | PETITIONER'S MOTION TO VACATE JUDGMENT AND GRANT A NEW TRIAL | May. 22, 2017 |
| 50. | RESPONSE TO PETITIONER'S MOTION VACATE JUDGMENT AND GRANT A NEW TRIAL | Jun. 6, 2017 |
| 51. | PETITIONER'S REPLY IN SUPPORT OF THEIR MOTION TO VACATE JUDGMENT | Jun. 16, 2017 |
| 52. | ME: RULING [06/20/2017] | Jun. 21, 2017 |
| 53. | AFFIDAVIT OF NICOLE D. PAYNE IN SUPPORT OF APPLICATION FOR AWARD OF ATTORNEY FEES | Jun. 28, 2017 |
| 54. | NOTICE OF LODGING PROPOSED FORM OF JUDGMENT | Jun. 28, 2017 |
| 55. | MOTION AND APPLICATION FOR AWARD OF ATTORNEY FEES | Jun. 28, 2017 |
| 56. | STATEMENT OF COSTS AND NOTICE OF TAXATION | Jun. 28, 2017 |
| 57. | EXHIBITS WORKSHEET H.D. 03/16/2017 | Jul. 10, 2017 |
| 58. | PETITIONER'S OBJECTION TO RESPONDENTS' MOTION AND APPLICATION FOR AN AWARD OF ATTORNEY FEES AND COSTS AND TO THEIR PROPOSED FORM OF JUDGMENT | Jul. 17, 2017 |



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| No. | Document Name | Filed Date |
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| 59. | SUPERIOR COURT JUDGMENT | Jul. 24, 2017 |
| 60. | NOTICE OF APPEAL | Aug. 18, 2017 |
| Record amended on Tuesday, April 24, 2018 @ 4:21 PM | | |
| 61. | COURT OF APPEALS APPELLATE CLERK NOTICE | Sep. 20, 2017 |
| 62. | COURT OF APPEALS RECEIPT | Sep. 25, 2017 |
| 63. | ELECTRONIC INDEX OF RECORD | Sep. 25, 2017 |
| Record amended on Friday, April 27, 2018 @ 8:13 AM | | |
| 64. | MEMORANDUM | Apr. 24, 2018 |

APPEAL COUNT: 1

RE: CASE: 1 CA-CV 17-0543

DUE DATE: 09/15/2017

CAPTION: WHITMER VS HILTON CASITA HOMEOWNERS

EXHIBIT(S): NONE

LOCATION ONLY: NONE

SEALED DOCUMENT: NONE

DEPOSITION(S): NONE

TRANSCRIPT(S): NONE

COMPILED BY: varelam on May 4, 2018; [2.5-17026.63]
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CERTIFICATION: I, CHRIS DeROSE, Clerk of the Superior Court of Maricopa County, State of Arizona, do hereby certify that the above listed Index of Record, corresponding electronic documents, and items denoted to be transmitted manually constitute the record on appeal in the above-entitled action.

The bracketed [date] following the minute entry title is the date of the minute entry.

CONTACT INFO: Clerk of the Superior Court, Maricopa County, Appeals Unit, 175 W Madison Ave, Phoenix, AZ 85003; 602-372-5375