

1 R. L. Whitmer  
2 6333 N. Scottsdale Rd.  
3 Casita 21  
4 Scottsdale, Arizona 85250  
5 602.531.2615  
6 Pro Per

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
8 **IN AND FOR THE COUNTY OF MARICOPA**

9 R. L. WHITMER,

CV2016-055080

10 Petitioner.

11 **MOTION FOR LEAVE TO FILE**  
12 **FIRST AMENDED COMPLAINT**

13 v.

(FOR THE ENFORCEMENT OF  
ADMINISTRATIVE LAW ORDER  
No. 14F-H1415004-BFS)

14 HILTON CASITAS HOMEOWNERS  
15 ASSOCIATION, also known as  
16 HILTON CASITAS COUNCIL OF  
17 HOMEOWNERS, also known as  
18 COUNCIL OF CO-OWNERS, also  
19 known as HILTON CASITAS  
20 COUNCIL OF CO-OWNERS; and  
21 MICHAEL BENGSON, as President of  
22 the named Respondent

(Assigned to the Honorable  
Cynthia Bailey)

23 Respondents.

24 Given the Respondent's counsel's refusal to honor agreement from the  
25 October 17, 2018 Status Conference to meet and reach a "settlement regarding  
26 Defendant's [potential] Motion to Dismiss Michael Bengson" and its counsel's  
27 admission that he has no settlement authority, the Petitioner submits his Motion to  
28 amend the Complaint pursuant to Rule 15(a) Ariz.R.Civ.Proc.

The First Amended Complaint incorporates details as outlined by the Court  
of Appeals' opinion and clarifies the Petitioner's claims for relief sought from the  
Hilton Casitas HOA and its president M. Bengson.

Pursuant to Rule 15(a) Ariz.R.Civ.P., "Leave to amend shall be freely given

1 when justice requires." *MacCollum v. Perkinson*, 185 Ariz. 179, 185, 913 P.2d  
2 1097, 1103 (App. 1996). Unless there is specific cause, such as futility, delay or  
3 prejudice, motions to amend should be granted. *Id.* No such cause exists here.

#### 4 **I. Jurisdiction and Relief**

5 Contrary to Hilton Casitas' previous pleadings in this action that an  
6 administrative law judge can grant themselves contempt of court powers through  
7 rules of procedure, the Court of Appeals made it clear that this Court has  
8 exclusive jurisdiction pursuant to Article 6, § 14 of the Arizona Constitution, A.R.S.  
9 §12-864 and Rule 65(f)<sup>1</sup> Ariz.R.Civ.P. Accordingly, this Court is the proper venue  
10 to grant the Petitioner relief pursuant to A.R.S §32-2199.02(B) authorizing the  
11 enforcement of the Administrative Law Judge Decision No. 14F-H1415004-BFS  
12 through contempt of court proceedings. It is indisputable that the requested relief  
13 is based in statute and not out of contract.

#### 14 **II. Hilton Casitas HOA's President as an Officer of the HOA is Subject to** 15 **Contempt of Court Proceedings**

16 The contempt relief applies to Mr. Bengson in his capacity as HOA  
17 president, and the requested amendment to the complaint is intended for the sake  
18 of clarity, to address his legal responsibility following the repeated argument of  
19 Hilton Casitas' counsel in this matter, and for the conservation of this Court's  
20 judicial resources.

21 It is long recognized in Arizona case law that corporations, as a legal  
22 fiction, can only act through their officers and directors. A corporation can act  
23 only through its agents or officers. See *Lois Grunow Mem'l Clinic v. Davis*, 49  
24 Ariz. 277, 284, 66 P.2d 238, 241 (1937). By statute, each corporation must have a  
25 board of directors, A.R.S. § 10-801(A), and in general, "[a]ll corporate powers  
26 shall be exercised by or under the authority of and the business and affairs of the  
27 corporation shall be managed under the direction of its board of directors." A.R.S.

28 <sup>1</sup> In January 2017 Arizona Rules of Civil Procedure 65(j) was amended and restated into  
Arizona Rules of Civil Procedure 65(f)

1 § 10-801(B).

2 Case law clearly shows that an officer is responsible for compliance with  
3 judicial orders against the corporation, including contempt of court proceedings...  
4 "[I]f a corporate officer avoids a court's order to the corporation by failing to take  
5 action or attempt compliance," the officer may be punished for contempt and "it is  
6 fully appropriate to impose judicial sanctions on the nonparty corporate officer."  
7 **Electrical Workers Pension v. Gary's Electric**, 340 F.3d 373 (6th Cir. 2003).  
8 **Wilson v. United States**, 221 U.S. 361, 376, 31 S.Ct. 538, 55 L.Ed. 771 (1911)  
9 (noting that the corporation can be proceeded against in its corporate capacity at  
10 the same time that "[officers] are punished in their natural capacities for failure to  
11 do what the law requires of them as the representatives of the corporation."  
12 (quotation omitted)). More recently, we have commented on the issue of holding a  
13 corporate president in contempt when an injunction is directed solely to the  
14 corporation or company. See **United States v. Hochschild**, 977 F.2d 208 (6th  
15 Cir. 1992), cert. denied, 506 U.S. 1067, 113 S.Ct. 1017, 122 L.Ed.2d 164 (1993).  
16 In Hochschild, the defendant corporate officer argued that he was not bound by  
17 the terms of the injunction directed to his corporation. In support of his argument,  
18 the defendant relied on language in the district court's order that implied that the  
19 district court may have lacked jurisdiction over him because he was not a named  
20 party in the action. Id. at 212. On appeal, the court determined that the injunction  
21 applied to the nonparty officer in his corporate capacity. See also **NLRB v.**  
22 **Sequoia Dist. Council of Carpenters, AFL-CIO**, 568 F.2d 628, 633 (9th Cir.  
23 1977) ("It can hardly be argued that the principal officers of a labor union are not  
24 legally identified with it, and thus liable in contempt for disobeying an order  
25 directed to the union.") Heralding the majority view as the law of this circuit, we  
26 referenced a Second Circuit case quoting Judge Learned Hand: "a person who  
27 knowingly assists a defendant in violating an injunction subjects himself to civil as  
28 well as criminal proceedings for contempt. This is well settled law." Hochschild,

1 977 F.2d at 212 (quoting *Backo v. Local 281, United Bhd. of Carpenters*  
2 *Joiners*, 438 F.2d 176, 180 (2d Cir. 1970), cert. denied, 404 U.S. 858, 92 S.Ct.  
3 110, 30 L.Ed.2d 99 (1971) (quoting *Alemite Mfg. Corp. v. Staff*, 42 F.2d 832 (2d  
4 Cir. 1930))). Ultimately, we determined that the defendant officer was "bound by  
5 the injunction . . . because of his relationship to the corporation." *Id.*

6 **III. Background for a Finding of Contempt Pursuant to A.R.S. § 32-**  
7 **2199.02(B)**

8 On January 7, 2015 Administrative Law Judge ordered that the  
9 Respondents "shall fully comply with the applicable provisions of A.R.S. § 33-  
10 1243(D) in the future." Mr. Bengson, Hilton Casitas' president, promised the  
11 tribunal to "get everything on the right track." In his testimony, Mr. Bengson  
12 promised that the 2014 budget would be amended and ratified. No such  
13 amendment or ratification ever took place, nor was the 2015 and 2016 budgets  
14 adopted in compliance with A.R.S § 33-1243(D) as order by the Administrative  
15 Law Judge.

16 A.R.S. § 33-1243(D) Except as provided in the declaration,  
17 within thirty days after adoption of any proposed budget for  
18 the condominium, the board of directors shall provide a  
19 summary of the budget to all the unit owners. Unless the  
20 board of directors is expressly authorized in the declaration to  
21 adopt and amend budgets from time to time, any budget or  
22 amendment shall be ratified by the unit owners in accordance  
23 with the procedures set forth in this subsection. If ratification  
24 is required, the board of directors shall set a date for a  
25 meeting of the unit owners to consider ratification of the  
26 budget not fewer than fourteen nor more than thirty days after  
27 mailing of the summary. Unless at that meeting a majority of  
28 all the unit owners or any larger vote specified in the  
declaration rejects the budget, the budget is ratified, whether  
or not a quorum is present. If the proposed budget is rejected,  
the periodic budget last ratified by the unit owners shall be  
continued until such time as the unit owners ratify a  
subsequent budget proposed by the board of directors.

1           The Hilton Casitas Condominium was created with the May 22, 1972  
2 recordation of the Declaration of Horizontal Property Regime for Hilton Casitas  
3 (“Declaration”) pursuant ARS 33-531 “the Horizontal Property Regime Act.”  
4 There is no provision in the Declaration that expressly authorizes the board of  
5 directors on its own to adopt or amend budgets. Accordingly, the board and its  
6 officers are required by statute and the administrative law order to secure  
7 ratification from the unit owners.

8           A.R.S. § 33-1243(D) requires the board of directors to adopt a budget, and  
9 then circulate the budget to all the units within 30 days of the board adopting the  
10 budget. On March 24, 2016, the board circulated the meeting notice and a  
11 meeting agenda for the annual unit owners meeting that was held on March 31,  
12 2016. The only board meeting held prior to the March annual unit owners  
13 meeting was held on February 16, 2016. As per the agenda of that meeting, the  
14 board did not adopt a 2016 budget.

15           Instead of providing “a summary of the budget to all the unit owners” prior  
16 to annual meeting as required by A.R.S. § 33-1243(D), the board chose to  
17 provide the budget only to the 2016 annual meeting attendees.

18           For more than 10 years, including 2016, the 29 unit owners of Hilton  
19 Casitas have been assessed \$125 a month for Safeguard security. On August  
20 25, 2016, the Hilton Casitas board sent out an email announcing that the  
21 Safeguard security agreement had been renegotiated and services cut, and that  
22 there would be substantial savings. Without amending the budget as required by  
23 A.R.S §33-1243(D) and the Administrative Law Order, the board announced that  
24 they would be putting the savings into a reserve account.

25           Any re-appropriating of assessment payments required that the board  
26 amend the budget, and then give all of the unit owners the opportunity to oppose  
27 or ratify any budget amendments. No such action was taken.

28           Additionally, after the filing of the initial complaint, the Petitioner obtained

1 HOA records showing that the HOA legal expenses exceeded the amount for  
2 legal services in the 2016 budget by 20% without amending the budget to which  
3 the revenue savings from cutting the Safeguard security services went to pay  
4 Hilton Casitas' legal counsel's billings.

#### 5 IV. Conclusion

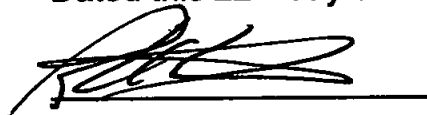
6 Respondent Bengson is the HOA's president and the actions of the HOA's  
7 board were actually his actions. Mr. Bengson's promises to follow the statutory  
8 provisions of A.R.S. § 33-1243.D regarding the approval and amendment of the  
9 budget were an integral part of the Administrative Law Judge's decision, who  
10 specifically referred to that promise in his decision.

11 Mr. Bengson broke his promise and caused the HOA to violate the  
12 Administrative Law Judge's order by his inactions and actions, knowing that his  
13 inactions and actions would violate the statute and the Administrative Law  
14 Judge's order. Mr. Bengson, as president of the HOA, is liable for contempt.

15 For the sake of order and clarity, it is expressly stated that this case and  
16 requested relief does not arise of contract, but rather is a matter of statutory  
17 compliance. Specifically, the requested relief is the enforcement of the  
18 Administrative Law Judge's order of No. 14F-H1415004-BFS through contempt of  
19 court proceeding pursuant to A.R.S. § 32.2199.02(B) by finding the HOA and its  
20 president in contempt for not comply with the Administrative Law Judge's order  
21 and sanction them as the Court finds appropriate.

22 This Court has subject matter jurisdiction and can grant relief pursuant to  
23 A.R.S. § 32-2199.02(B). Therefore, for the sake of order and clarity, the  
24 Petitioner requests a leave to amend their complaint as requested in the attached  
25 Exhibit "A".

26 Dated this 22<sup>nd</sup> day of October, 2018.

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28 R. L. Whitmer

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ORIGINAL filed this  
22<sup>nd</sup> day of October, 2018, with the Court;

and a COPY hand delivered and emailed this same date to:

Augustus Shaw  
Shaw & Lines Law Firm  
4523 E. Broadway Rd.  
Phoenix, AZ 85040

# Exhibit A

1 R. L. Whitmer  
2 6333 N. Scottsdale Rd.  
3 Casita 21  
4 Scottsdale, Arizona 85250  
5 602.531.2615

6 Pro Per

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
8 **IN AND FOR THE COUNTY OF MARICOPA**

9 R. L. WHITMER,

10 Petitioner.

11 v.

12 HILTON CASITAS HOMEOWNERS  
13 ASSOCIATION, also known as  
14 HILTON CASITAS COUNCIL OF  
15 HOMEOWNERS, also known as  
16 COUNCIL OF CO-OWNERS, also  
17 known as HILTON CASITAS  
18 COUNCIL OF CO-OWNERS; and  
19 **MICHAEL BENGSON, solely in his**  
20 **capacity as** President of the named  
21 Respondent, **and not personally**

22 Respondents.

CV2016-055080

**FIRST AMENDED VERIFIED  
COMPLAINT  
~~FOR AN ORDER TO SHOW~~  
CAUSE**

FOR THE ENFORCEMENT OF AN  
ADMINISTRATIVE LAW ORDER  
No. 14F-H1415004-BFS

23 For their **first amended** complaint Petitioner alleges as follows  
24 **(changes shown in bold and strike outs):**

25 Pursuant to ~~A.R.S. §12-861 et seq and Arizona Rules of Civil Procedure~~  
26 ~~65(j)~~ **A.R.S §32-2199.02(B), Article 6, § 14 of the Arizona Constitution, A.R.S.**  
27 **§12-864 and Rule 65(f)<sup>1</sup> Ariz.R.Civ.P.**, the Petitioner hereby submits the following  
28 **VERIFIED COMPLAINT FOR AN ORDER TO SHOW CAUSE:**

1. A final order of the Administrative Law Judge Decision No. 14F-

<sup>1</sup> In January 2017 Arizona Rules of Civil Procedure 65(j) was amended and restated into Arizona Rules of Civil Procedure 65(f)

1 H1415004-BFS (Ex. 1) in this case was entered on January 7, 2015 and certified  
2 on February 18, 2015 by the Arizona Department of Fire, Building and Life Safety.

3 2. The Administrative Law Judge ordered that the Respondents "shall  
4 fully comply with the applicable provisions of A.R.S. § 33-1243(D) in the future."

5 (Ex. 1, P4:27-28)

6 A.R.S. § 33-1243(D) Except as provided in the  
7 declaration, within thirty days after adoption of any  
8 proposed budget for the condominium, the board of  
9 directors shall provide a summary of the budget to all the  
10 unit owners. Unless the board of directors is expressly  
11 authorized in the declaration to adopt and amend budgets  
12 from time to time, any budget or amendment shall be  
13 ratified by the unit owners in accordance with the  
14 procedures set forth in this subsection. If ratification is  
15 required, the board of directors shall set a date for a  
16 meeting of the unit owners to consider ratification of the  
17 budget not fewer than fourteen nor more than thirty days  
18 after mailing of the summary. Unless at that meeting a  
19 majority of all the unit owners or any larger vote specified  
20 in the declaration rejects the budget, the budget is ratified,  
21 whether or not a quorum is present. If the proposed  
22 budget is rejected, the periodic budget last ratified by the  
23 unit owners shall be continued until such time as the unit  
24 owners ratify a subsequent budget proposed by the board  
25 of directors.

20 3. The Hilton Casitas Condominium was created with the May 22, 1972  
21 recordation of the Declaration of Horizontal Property Regime for Hilton Casitas  
22 ("Declaration") (Ex. 2) pursuant ARS 33-531 "the Horizontal Property Regime  
23 Act." The Declaration is the organic contract between the HOA and the  
24 casita/unit owners.

25 4. There is no provision in the Declaration that expressly authorizes the  
26 board of directors on its own to adopt or amend budgets. Accordingly, the board  
27 and its officers are required by statute and the administrative law order to secure  
28 ratification from the unit owners.

1           5.     A.R.S. § 33-1243(D) requires the board of directors to adopt a  
2 budget, and then circulate the budget to all the units within 30 days of the board  
3 adopting the budget.

4           6.     On March 24, 2016, the board circulated the meeting notice and a  
5 meeting agenda (Ex. 3) for the annual unit owners meeting that was held on  
6 March 31, 2016.

7           7.     The only board meeting held prior to the March annual unit owners  
8 meeting was held on February 16, 2016 (Ex. 4). As per the agenda of that  
9 meeting, the board did not adopt a 2016 budget.

10          8.     Instead of providing "a summary of the budget to all the unit owners"  
11 prior to annual meeting as required by A.R.S. § 33-1243(D), the board chose to  
12 provide the budget only to the annual meeting attendees. To date, the budget  
13 has never been circulated to "all the unit owners."

14          9.     For more than 10 years, including 2016, the 29 unit owners of Hilton  
15 Casitas have been assessed \$125 a month for Safeguard security<sup>2</sup> (Ex. 5). On  
16 August 25, 2016, the Hilton Casitas board sent out an email (Ex. 6) announcing  
17 that the Safeguard security agreement had been renegotiated, and that there  
18 would be substantial savings. Without amending the budget, the board  
19 announced that they would be putting the savings into a reserve account.

20          10.    Any re-appropriating of assessment payments requires that the  
21 board amend the budget, and then give all of the unit owners the opportunity to  
22 oppose or ratify any budget amendments. No such action was taken.

23          11.    The HOA 2016 legal expenses budget was \$15,000 (Ex. 7) and,  
24 through the actions of its president, was overspent by 20% or \$4,049.20  
25 without amending the budget as required by A.R.S. § 33-1243.D and the

26 \_\_\_\_\_  
27 <sup>2</sup> In addition, the Scottsdale Hilton Hotel, acting under a management contract (Ex. 7 9)  
28 with Hilton Casitas, has for more than 10 years diverted \$26.29 of the \$125 a month  
Safeguard assessment (Ex. 5) also without any budget authorization to do so.

1 **Administrative Law Judge's order. The overspending is evidenced by the**  
2 **billing records of the HOA's counsel Mr. Bob Anderson (Ex. 8).**

3 12. The administrative law judge ordered the following: 1) compliance  
4 with A.R.S. § 33-1243(D); 2) ordered Hilton Casitas to pay the petitioner his filing  
5 fees, 3) did not impose sanctions against Hilton Casitas based upon Mr.  
6 Bengson's, now the purported Hilton Casitas president, promise to the tribunal to  
7 "get everything on the right track." (Ex. 1, P2:25). In his testimony, Mr. Bengson  
8 promised that the 2014 budget would be amended and ratified. No such  
9 amendment or ratification ever took place.

10 13. **Respondent Bengson is the HOA's president and the actions of**  
11 **the HOA's board were actually his actions. Mr. Bengson's promises to**  
12 **follow the statutory provisions of A.R.S. § 33-1243.D regarding the approval**  
13 **and amendment of the budget were an integral part of the Administrative**  
14 **Law Judge's decision, who specifically referred to that promise in his**  
15 **decision. Mr Bengson as the HOA president violated his promise and**  
16 **caused the HOA to violate the Administrative Law Judge's order by his**  
17 **inactions and actions, knowing that his inactions and actions would violate**  
18 **the statute and Administrative Law Judge's order. Mr. Bengson, as**  
19 **president of the HOA, is liable for contempt.**

20 14. **For the sake of order and clarity, it is expressly stated that this**  
21 **case and requested relief does not arise of contract, but rather is a matter of**  
22 **statutory compliance. Specifically, the requested relief is the enforcement**  
23 **of the Administrative Law Judge's order of No. 14F-H1415004-BFS through**  
24 **contempt of court proceeding pursuant to A.R.S. § 32.2199.02(B) by finding**  
25 **the HOA and its president in contempt for failure to comply with the**  
26 **Administrative Law Judge's order and sanction them as the Court finds**  
27 **appropriate.**

28 Petitioner THEREFORE, requests that a hearing be set, and hereby

1 submits his REQUEST by VERIFIED COMPLAINT ~~FOR AN ORDER TO SHOW~~  
2 CAUSE to find the Respondents in contempt of the Administrative Law Decision  
3 No. 14F-H1415004-BFS (Ex. 1), and to sanction Hilton Casitas and its purported  
4 president, Mr. Bengson, as the Court finds appropriate to insure that in the future  
5 Hilton Casitas' board and officers obey the administrative law order to follow  
6 A.R.S. § 33-1243(D).

7 Dated this 19<sup>th</sup> \_\_\_ day of ~~December, 2016~~ October 2018.

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11 R. L. Whitmer  
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1 **VERIFICATION**

2 Pursuant to **Rule 80(i)** of the Arizona Rules of Civil Procedure, I, R.L.  
3 Whitmer, declare under the penalty of perjury that the preceding Complaint is true  
4 and correct to the best of our information, knowledge and belief.

5 Dated this 19<sup>th</sup> \_\_\_ day of ~~December, 2016~~ October 2018.

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10 R. L. Whitmer  
11 Petitioner  
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**TABLE OF EXHIBITS**

Exhibit:

1. Administrative Law Judge Decision No. 14F-H1415004-BFS
2. The Declaration of Horizontal Property Regime for Hilton Casitas
3. March 31, 2016 Annual Unit Owners Meeting Notice & Agenda
4. February 16, 2016 Board of Directors Meeting Notice & Agenda
5. Hilton Casitas' Financial Worksheets from 1/2007 to 6/2016
6. August 25, 2016 Hilton Casitas Board Email
7. ~~Scottsdale Hilton Hotel Management Contract~~ **Billing records for HOA 2016 legal expenses**
8. **Hilton Casitas 2016 Budget**
9. **Scottsdale Hilton Hotel Management Contract**

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# Exhibit 7

Hilton Casitas Council of Homeowners

2016 Budget

Beginning Cash	\$ 12,111.71	\$12,111.71
Added Cash receipts	\$ 19,780.32	100,585.92
Total Cash	\$ 31,892.03	\$112,697.63
Estimated Expenses		
Accounting	\$ 400.00	
Legal	\$ 15,000.00	
Bank Fees	\$ 360.00	
Manangement	\$ 3,000.00	
Misc		
Total	\$ 18,760.00	- 18,760.00
Estimated ending cash	\$ 13,132.03	- \$13,132.03

Based on no change in the monthly dues of \$289.04

\* \$ 80,805.60 out of balance

X 29 casitas  
\$8,382.16  
X 12 months

Total Annual Receipts \$100,585.92

\* Plaintiff's notes & analysis.

**Hilton Casitas Council of Homeowners**

<b>2016 Budget</b>		<b>2015 Actual expenses</b>		<b>2015 Budget Expenses</b>
<b>Beginning Cash</b>	<b>\$ 12,111.71</b>	<b>\$ 13,641.26</b>	<b>\$</b>	<b>13,641.26</b>
<b>Added Cash receipts</b>	<b>\$ 19,780.32</b>	<b>\$ 19,383.60</b>	<b>\$</b>	<b>19,780.32</b>
<b>Total Cash</b>	<b>\$ 31,892.03</b>	<b>\$ 33,024.86</b>	<b>\$</b>	<b>33,421.58</b>
<b>Estimated Expenses</b>				
<b>Accounting</b>	<b>\$ 400.00</b>	<b>\$ 400.00</b>	<b>\$</b>	<b>400.00</b>
<b>Legal</b>	<b>\$ 15,000.00</b>	<b>\$ 17,059.72</b>	<b>\$</b>	<b>14,500.00</b>
<b>Bank Fees</b>	<b>\$ 360.00</b>	<b>\$ 29.95</b>	<b>\$</b>	<b>360.00</b>
<b>Manangement</b>	<b>\$ 3,000.00</b>	<b>\$ 2,838.48</b>	<b>\$</b>	<b>2,500.00</b>
<b>Misc</b>		<b>\$ 585.00</b>	<b>\$</b>	<b>-</b>
<b>Total</b>	<b>\$ 18,760.00</b>	<b>\$ 20,913.15</b>	<b>\$</b>	<b>17,760.00</b>
<b>Estimated ending cash</b>	<b>\$ 13,132.03</b>	<b>\$ 12,111.71</b>	<b>\$</b>	<b>15,661.58</b>

**Based on no change in the monthly dues of \$289.04**

# Exhibit 8

<b>Hilton Casitas 2016 Legal Expenses</b>			
<b>Clark Hill Invoices</b>		<b>Monthly</b>	<b>Year to date</b>
<b>February 16, 2016</b>		<b>\$97.50</b>	<b>\$97.50</b>
<b>March 24, 2016</b>		<b>\$2,145.00</b>	<b>\$2,242.50</b>
<b>April 28, 2016</b>		<b>\$5,037.50</b>	<b>\$7,280.00</b>
<b>May 28, 2016</b>		<b>\$455.00</b>	<b>\$7,735.00</b>
<b>June 29, 2016</b>		<b>\$812.50</b>	<b>\$8,547.50</b>
<b>July 28, 2016</b>		<b>\$2,730.00</b>	<b>\$11,277.50</b>
<b>August 29, 2016</b>		<b>\$260.00</b>	<b>\$11,537.50</b>
<b>September 27, 2016</b>		<b>\$694.70</b>	<b>\$12,232.20</b>
<b>September 27, 2016</b>		<b>\$4,095.00</b>	<b>\$16,327.20</b>
<b>October 28, 2016</b>		<b>\$257.00</b>	<b>\$16,584.20</b>
<b>November 15, 2016</b>		<b>\$715.00</b>	<b>\$17,299.20</b>
<b>November 15, 2016</b>		<b>\$1,155.00</b>	<b>\$18,454.20</b>
<b>December 8, 2016</b>		<b>\$595.00</b>	<b>\$19,049.20</b>
<b>TOTAL</b>		<b>\$19,049.20</b>	

# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0423840

## INVOICE

Invoice # 639112

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

February 16, 2016  
Client: 48320  
Matter: 179849

RE: Condominium Reorganization and Whitmer Dispute

FOR SERVICES RENDERED through January 31, 2016

Total Services: \$97.50

INVOICE TOTAL

\$97.50

12/16/15 631943 \$357.50

Outstanding Balance:

\$357.50

TOTAL AMOUNT DUE

\$455.00  
=====

PAYABLE UPON RECEIPT IN U.S. DOLLARS

**CLARK HILL P.L.C.**

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
February 16, 2016  
INVOICE # 639112  
Page 2

DETAILED DESCRIPTION OF SERVICES

01/22/16	Review memorandum from Corey R Anderson regarding status of litigation (.1) (No Charge); review letter from LeMan Witter regarding invalid assessment (.3).	.30	97.50
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\$97.50

TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	0.30 hours at \$325.00 =	\$97.50
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# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14830 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0425840

## INVOICE

Invoice # 645220

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

March 24, 2016  
Client: 48320  
Matter: 179849

RE: Condominium Reorganization and Whitmer Dispute

FOR SERVICES RENDERED through February 29, 2016

Total Services:			\$1,690.00
INVOICE TOTAL			\$1,690.00
12/16/15	631943	\$357.50	
02/16/16	639112	\$97.50	
Outstanding Balance:			<u>\$455.00</u>
TOTAL AMOUNT DUE			<u>\$2,145.00</u> =====

PAYABLE UPON RECEIPT IN U.S. DOLLARS

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
March 24, 2016  
INVOICE # 645220  
Page 2

## DETAILED DESCRIPTION OF SERVICES

02/11/16	Review comments to Declaration from Board members and Reply.	R Anderson	.90	292.50
02/12/16	Review and revise Declaration.	R Anderson	2.80	910.00
02/16/16	Review Declaration and bylaws; attend Homeowners Association Board meeting (No Charge).	R Anderson	3.20	NO CHARGE
02/24/16	Revise Declaration per Board's comments (2.2); telephone call to M. Bengson regarding changes to Declaration (.3). (Discount 1.0 hours from total).	R Anderson	1.50	487.50

\$1,690.00

## TIMESHEET SUMMARY

RGA	Robert G. Anderson	3.20 hours at	\$0.00 =	\$0.00
RGA	Robert G. Anderson	5.20 hours at	\$325.00 =	\$1,690.00

# CLARK HILL

PLC

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0425840

## INVOICE

Invoice # 649885

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

April 28, 2016  
Client: 48320  
Matter: 179849

RE: Condominium Reorganization and Whitmer Dispute

FOR SERVICES RENDERED through March 31, 2016

Total Services: \$2,892.50

INVOICE TOTAL \$2,892.50

12/16/15	631943	\$357.50
02/16/16	639112	\$97.50
03/24/16	645220	\$1690.00

Outstanding Balance: \$2,145.00

TOTAL AMOUNT DUE \$5,037.50

PAYABLE UPON RECEIPT IN U.S. DOLLARS

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
April 28, 2016  
INVOICE # 649885  
Page 2

## DETAILED DESCRIPTION OF SERVICES

03/10/16	Review memorandum regarding voting for Board (.1); review condominium statutes and reply to B. Pollock, review issue of short term leases (.2); telephone call to M. Bengson regarding lease issue on Declaration, Whitmer's recent actions, HOA meeting, revision of rules and regulations (.8); research case law on amending Declaration, scope of amendment, (.9); review original declaration regarding rental issue and new Declaration (.7); memorandum to S. Pollock regarding amendment and fines for violating rules and regulations (.2).	R Anderson	2.90	942.50
03/14/16	Telephone call from S. Pollock regarding Declaration and leasing issue (No Charge).	R Anderson	.20	NO CHARGE
03/15/16	Review and revise Declaration in final format.	R Anderson	1.00	325.00
03/15/16	Telephone call to M. Bengson regarding meeting (.2); review Declaration and make revisions to Declaration (.5).	R Anderson	.70	227.50
03/21/16	Telephone call from M. Bengson regarding annual meeting (No Charge).	R Anderson	.20	65.00

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
April 28, 2016  
INVOICE # 649885  
Page 3

03/23/16	Prepare letter to members, Notice of Meeting and Agenda, review Absentee ballot.	R Anderson	1.30	422.50
03/24/16	Telephone call to M. Bengson regarding rules and regulations (.2); review memorandum from E. Sluder (.2).	R Anderson	.40	130.00
03/28/16	Telephone call from S. Pollock regarding issues with violation of rules and regulations.	R Anderson	.40	130.00
03/29/16	Review letter from attorney R. Porter regarding new Declaration.	R Anderson	.30	97.50
03/30/16	Review emails and prepare for meeting (.5); telephone call from Mike regarding corporation not ready to ratify new declaration, rules and regulations, issues at meeting (.8).	R Anderson	1.30	422.50
03/31/16	Review email from Cameron and Lamar regarding issues with Declaration (.1); telephone call to Mike B. regarding agenda, Cameron letter (.2); review email from Pollock (.1); Attend HOA meeting (2.1 No Charge).	R Anderson	.40	130.00

\$2,892.50

## TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	0.20 hours at	\$0.00 =	\$0.00
RGA	Robert G. Anderson	8.90 hours at	\$325.00 =	\$2,892.50

# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0423840

## INVOICE

Invoice # 655227

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

May 28, 2016  
Client: 48320  
Matter: 179849

RE: Condominium Reorganization and Whitmer Dispute

FOR SERVICES RENDERED through April 30, 2016

Total Services: \$455.00

INVOICE TOTAL \$455.00

12/16/15	631943	\$357.50
02/16/16	639112	\$97.50
03/24/16	645220	\$1690.00
04/28/16	649885	\$2892.50

Outstanding Balance: \$5,037.50

TOTAL AMOUNT DUE \$5,492.50

PAYABLE UPON RECEIPT IN U.S. DOLLARS

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
May 28, 2016  
INVOICE # 655227  
Page 2

## DETAILED DESCRIPTION OF SERVICES

04/14/16	Review memoranda regarding amended declaration and lease issue (No Charge).	R Anderson	.20	NO CHARGE
04/25/16	Telephone call from M. Bengson regarding revised rules and regulations and enforcing liens.	R Anderson	.30	97.50
04/30/16	Work on revised and updated Rules and Regulations.	R Anderson	1.10	357.50
				\$455.00

## TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	0.20 hours at	\$0.00 =	\$0.00
RGA	Robert G. Anderson	1.40 hours at	\$325.00 =	\$455.00

# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0429840

## INVOICE

Invoice # 660064

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

June 29, 2016  
Client: 48320  
Matter: 179849

RE: Condominium Reorganization and Whitmer Dispute

FOR SERVICES RENDERED through May 31, 2016

Total Services: \$812.50

INVOICE TOTAL \$812.50

12/16/15	631943	\$357.50
02/16/16	639112	\$97.50
03/24/16	645220	\$1690.00
04/28/16	649885	\$2892.50
05/28/16	655227	\$455.00

Outstanding Balance: \$5,492.50

TOTAL AMOUNT DUE \$6,305.00

PAYABLE UPON RECEIPT IN U.S. DOLLARS

**CLARK HILL P.L.C.**

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
June 29, 2016  
INVOICE # 660064  
Page 2

DETAILED DESCRIPTION OF SERVICES

05/10/16	Review letter from L. Whitmer regarding assessments.	R Anderson	.20	65.00
05/18/16	Telephone call to M. Bengson regarding new Rules and Regulations;	R Anderson	.40	130.00
05/19/16	Telephone call from M. Bengson regarding Witmer lawsuit and rules and regulations.	R Anderson	.40	130.00
05/25/16	Work on rules and regulations.	R Anderson	1.50	487.50

\$812.50

TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	2.50 hours at \$325.00 =	\$812.50
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# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0425840

## INVOICE

Invoice # 664445

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

July 28, 2016  
Client: 48320  
Matter: 179849

RE: Condominium Reorganization and Whitmer Dispute

FOR SERVICES RENDERED through June 30, 2016

Total Services: \$2,730.00

INVOICE TOTAL \$2,730.00

05/28/16	655227	\$455.00
06/29/16	660064	\$812.50

Outstanding Balance: \$1,267.50

TOTAL AMOUNT DUE \$3,997.50

PAYABLE UPON RECEIPT IN U.S. DOLLARS

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
July 28, 2016  
INVOICE # 664445  
Page 2

## DETAILED DESCRIPTION OF SERVICES

06/02/16	Telephone call from M. Bengson regarding rules and regulations.	R Anderson	.20	65.00
06/03/16	Prepare complaint for judicial foreclosure of Unit 21.	R Anderson	2.10	682.50
06/21/16	Review and revise Complaint for foreclosure on Unit 21 (.5); Review records of Maricopa County on other liens (.4); Prepare Verification (.2).	R Anderson	1.10	357.50
06/22/16	Review late fee calculations (.2); Revise Whitmer Complaint (.2); Telephone call to M. Bergson regarding late fees (.2); Review bylaws and declaration regarding board resolution for late fee (3.).	R Anderson	.90	292.50
06/22/16	Prepare Complaint for Schaffer delinquency (1.1); Review condition of title to Eli property (.5).	R Anderson	1.60	520.00
06/23/16	Review memorandum from Corey (.1); Review Whitmer Complaint and allegations (.3); Review original Declaration (.4); Review new proposed declaration (.4); Memorandum to Corey (.8); Review prior judgment (.3).	R Anderson	2.30	747.50
06/24/16	Prepare Complaint for filing.	R Anderson	.20	65.00

\$2,730.00

**CLARK HILL P.L.C.**

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
July 28, 2016  
INVOICE # 664445  
Page 3

TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	8.40 hours at	\$325.00 =	\$2,730.00
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# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0423840

## INVOICE

Invoice # 669279

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

August 29, 2016  
Client: 48320  
Matter: 179849

RE: Condominium Reorganization and Whitmer Dispute

FOR SERVICES RENDERED through July 31, 2016

Total Services: \$260.00

INVOICE TOTAL \$260.00

05/28/16	655227	\$455.00
06/29/16	660064	\$812.50
07/28/16	664445	\$2730.00

Outstanding Balance: \$3,997.50

TOTAL AMOUNT DUE

\$4,257.50  
=====

PAYABLE UPON RECEIPT IN U.S. DOLLARS

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
August 29, 2016  
INVOICE # 669279  
Page 2

## DETAILED DESCRIPTION OF SERVICES

07/18/16	TT First American re status of title reports (NO CHARGE).	R Anderson	.20	NO CHARGE
07/26/16	Review memorandum from Mike Bengson, review proposed changes to Rules and Regulations, review new Arizona Statutes to take effect August 1, 2016.	R Anderson	.80	260.00

\$260.00

## TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	0.20 hours at	\$0.00 =	\$0.00
RGA	Robert G. Anderson	0.80 hours at	\$325.00 =	\$260.00

# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14830 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0425840

## INVOICE

Invoice # 673736

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

September 27, 2016  
Client: 48320  
Matter: 179849

RE: Condominium Reorganization and Whitmer Dispute

FOR SERVICES RENDERED through August 31, 2016

Total Services:

\$195.00

FOR EXPENSES INCURRED OR ADVANCED:

Service of Process

\$499.70

Total Expenses:

\$499.70

INVOICE TOTAL

\$694.70

TOTAL AMOUNT DUE

\$694.70  
\*\*\*\*\*

PAYABLE UPON RECEIPT IN U.S. DOLLARS

**CLARK HILL P.L.C.**

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
September 27, 2016  
INVOICE # 673736  
Page 2

DETAILED DESCRIPTION OF SERVICES

08/23/16	Review revised Rules and Regulations; review lease form; telephone call from M. Bergson regarding Rules and Regulations.	R Anderson	.60	195.00
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\$195.00

TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	0.60 hours at \$325.00 =	\$195.00
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# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0423840

## INVOICE

Invoice # 683075

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

November 15, 2016  
Client: 48320  
Matter: 179849

RE: Condominium Reorganization and Whitmer Dispute

FOR SERVICES RENDERED through October 31, 2016

Total Services: \$715.00

INVOICE TOTAL \$715.00

09/27/16 673736 \$694.70

Outstanding Balance: \$694.70

TOTAL AMOUNT DUE \$1,409.70

PAYABLE UPON RECEIPT IN U.S. DOLLARS

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
Condominium Reorganization and Whitmer Dispute  
November 15, 2016  
INVOICE # 683075  
Page 2

## DETAILED DESCRIPTION OF SERVICES

10/06/16 Telephone conference with Mike regarding Answer to Compliant regarding Safeguard; review Summary of Safeguard Contract and Benefits to Association; prepare Answer to Complaint.	R Anderson	1.50	487.50
10/07/16 Continue to prepare of answer to Whitmer Complaint; telephone conference with Mike regarding allegations by Whitmer regarding use of Safeguard Services.	R Anderson	.70	227.50

\$715.00

## TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	2.20 hours at \$325.00 =	\$715.00
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# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14830 N. Scottsdale Road, Suite 500  
Scottsdale, Arizona 85254  
Telephone (480) 684-1100  
Fed.ID / 38-0425840

## INVOICE

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

Invoice # 673740  
September 27, 2016  
Client: 48320  
Matter: 306528

RE: London, Colleen and Whitmer, R.L.

FOR SERVICES RENDERED through August 31, 2016

Total Services: \$4,095.00

INVOICE TOTAL \$4,095.00

PAYABLE UPON RECEIPT IN U.S. DOLLARS

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
London, Colleen and Whitmer, R.L.  
September 27, 2016  
INVOICE # 673740  
Page 2

## DETAILED DESCRIPTION OF SERVICES

08/04/16	RGA Telephone call from M. Bengson regarding production of documents for Whitmer, short term rental issues, new legislation; review file; review Whitmer Motion to Dismiss and documents attached; prepare Response to Motion to Dismiss.	2.90
08/05/16	RGA Telephone call from M. Bengson regarding payment of delinquent assessments (No Charge).	.20
08/08/16	RGA Review briefs and Court Judgments received from Corey Hill, continue to work on Response to Whitmer Motion, telephone call to M. Bengson regarding additional delinquency for July and August.	2.70
08/09/16	MSS Discussion with R. Anderson regarding effective and proper arguments for response to motion to dismiss.	.70
08/09/16	RGA Continue preparation of Response to Motion to Dismiss, telephone call to M. Bengson regarding payment by Whitmer.	3.50
08/18/16	RGA Review letter from Whitmer regarding review of books and records, telephone call to M. Bengson regarding Whitmer request for records and response.	.60
08/19/16	RGA Review correspondence from B. Porter, attorney for Whitmer regarding Board Meeting.	.20
08/25/16	RGA Review Whitmer's Reply to HOA's Response to Motion to Dismiss; telephone call to M. Bengson regarding Reply.	.70
08/30/16	RGA Review memo to Whitmer and attachments; review memo from Whitmer to Mike regarding Safeguard overcharges and offset.	.40

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
London, Colleen and Whitmer, R.L.  
September 27, 2016  
INVOICE # 673740  
Page 3

\$4,095.00

## TIMEKEEPER SUMMARY

MSS	Mark S. Sifferman	0.70 hours at	\$350.00 =	\$245.00
RGA	Robert G. Anderson	0.20 hours at	\$0.00 =	\$0.00
RGA	Robert G. Anderson	11.00 hours at	\$350.00 =	\$3,850.00

# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0423840

## INVOICE

Invoice # 679335

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

October 28, 2016  
Client: 48320  
Matter: 306528

RE: London, Colleen and Whitmer, R.L.

FOR SERVICES RENDERED through September 30, 2016

Total Services: \$245.00

FOR EXPENSES INCURRED OR ADVANCED:

Filing Fees \$12.00

Total Expenses: \$12.00

INVOICE TOTAL \$257.00

09/27/16 673740 \$4095.00

Outstanding Balance: \$4,095.00

TOTAL AMOUNT DUE \$4,352.00

PAYABLE UPON RECEIPT IN U.S. DOLLARS

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
London, Colleen and Whitmer, R.L.  
October 28, 2016  
INVOICE # 679335  
Page 2

## DETAILED DESCRIPTION OF SERVICES

09/23/16 RGA Review new complaint from Whitmer re Safeguard, TT Mike re new complaint.	.40	
09/26/16 RGA TF Mike Bergson re new complaint.	.30	
		\$245.00

## TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	0.70 hours at \$350.00 =	\$245.00
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# CLARK HILL

P.L.C.

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, AZ 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0425840

## INVOICE

Invoice # 683076

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

November 15, 2016  
Client: 48320  
Matter: 306528

RE: London, Colleen and Whitmer, R.L.

FOR SERVICES RENDERED through October 31, 2016

Total Services: \$1,155.00

INVOICE TOTAL \$1,155.00

09/27/16	673740	\$4095.00
10/28/16	679335	\$257.00

Outstanding Balance: \$4,352.00

TOTAL AMOUNT DUE

\$5,507.00

PAYABLE UPON RECEIPT IN U.S. DOLLARS

**CLARK HILL P.L.C.**

Hilton Casitas Council of Homeowners  
London, Colleen and Whitmer, R.L.  
November 15, 2016  
INVOICE # 683076  
Page 2

DETAILED DESCRIPTION OF SERVICES

10/10/16 RGA Review and revise Complaint and file in Justice Court.	.30	
10/11/16 RGA Review Whitmer Application for Costs.	.20	
10/17/16 RGA Prepare response in Opposition of Defendants Application for Costs; telephone conference with M. Bengson regarding issues with Opposition to Application; copy of May delinquency notice, Justice Court Answer.	2.60	
10/18/16 RGA Telephone conference with M. Bengson regarding notices to Whitmer, Answer to Justice Court Complaint.	.20	
		\$1,155.00

TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	3.30 hours at \$350.00 =	\$1,155.00
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# CLARK HILL

P.L.L.C.

ATTORNEYS AT LAW

14850 N. Scottsdale Road, Suite 500  
Scottsdale, Arizona 85254  
Telephone (480) 684-1100  
Fed.ID # 38-0425840

## INVOICE

Hilton Casitas Council of Homeowners  
Attn: Michael Bengson  
6333 N. Scottsdale Road  
Unit 10  
Scottsdale, AZ 85250-5428

Invoice # 686637  
December 8, 2016  
Client: 48320  
Matter: 306528

RE: London, Colleen and Whitmer, R.L.

FOR SERVICES RENDERED through November 30, 2016

Total Services:

\$595.00

FOR EXPENSES INCURRED OR ADVANCED:

Filing Fees

\$6.00

Total Expenses:

\$6.00

INVOICE TOTAL

\$601.00

PAYABLE UPON RECEIPT IN U.S. DOLLARS

# CLARK HILL P.L.C.

Hilton Casitas Council of Homeowners  
London, Colleen and Whitmer, R.L.  
December 8, 2016  
INVOICE # 686637  
Page 2

## DETAILED DESCRIPTION OF SERVICES

11/08/16	RGA Telephone call from M. Bengson regarding response to Whitmer's letter challenging Board's Notice of Violation.	.30
11/16/16	RGA Review letter from Whitmer regarding dispute of assessments and fines; telephone call to M. Bengson regarding response (No Charge).	.50
11/17/16	RGA Review letter from Whitmer; review Declaration, bylaws and statutes regarding Whitmer claims.	.80
11/28/16	RGA Telephone call to M. Bengson regarding architectural control and response to Whitmer letter and Board meeting.	.60

\$595.00

## TIMEKEEPER SUMMARY

RGA	Robert G. Anderson	0.50 hours at	\$0.00 =	\$0.00
RGA	Robert G. Anderson	1.70 hours at	\$350.00 =	\$595.00

# Exhibit 7