

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

Petitioner.

v.

**MOTION FOR LEAVE TO FILE
SECOND AMENDED COMPLAINT**

10 HILTON CASITAS HOMEOWNERS
11 ASSOCIATION, also known as
12 HILTON CASITAS COUNCIL OF
13 HOMEOWNERS, also known as
14 COUNCIL OF CO-OWNERS, also
15 known as HILTON CASITAS
16 COUNCIL OF CO-OWNERS; and
MICHAEL BENGSON, as President of
the named Respondent

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

(Assigned to the Honorable
Cynthia Bailey)

Respondents.

18 In responding to the Respondents' motion to dismiss, the Petitioner
19 investigated the Respondents' claim of compliance in 2017 and found that the
20 Respondents have once again violated the Order by overspending the authorized
21 amount for legal expenses in the 2017 budget. In a letter response to the
22 Petitioner's Rule 11 notice, the Respondents' attorney admits that their 2017
23 compliance argument in their motion to dismiss is just an argument which lacks
24 factual support.

25 Accordingly, the Petitioner submits his Motion to amend the Complaint
26 pursuant to Rule 15(a) Ariz.R.Civ.Proc. Pursuant to Rule 15(a) Ariz.R.Civ.P.,
27 "Leave to amend shall be freely given when justice requires." *MacCollum v.*
28 *Perkinson*, 185 Ariz. 179, 185, 913 P.2d 1097, 1103 (App. 1996). Unless there is

1 specific cause, such as futility, delay or prejudice, motions to amend should be
2 granted. *Id.* No such cause exists here.

3 **I. It is indisputable that the Respondents exceeded 2017 budget**
4 **authorized legal expense limit.**

5 The Second Amended Complaint incorporates the financial documents as
6 provided by the HOA's management company and the HOA's general counsel.
7 The HOA's 2017 income/expense statement (Amended Complaint ("AC") Ex. 10)
8 provided to the unit owners shows only \$27,112.50 of legal expenses, which is
9 dramatically understated as the known total of 2017 legal expenses is
10 \$46,105.74. In 2017 the Respondents incurred \$15,449.00 in other known non-
11 litigation legal expenses (AC Ex. 11), and \$27,951.50 of legal expenses on this
12 case alone as stated in the attorneys' fees affidavit exhibits in this case (AC Ex.
13 12), plus they paid a \$3,431.24 judgment in a justice court action
14 (CC20166164084-RC).

15 As illustrated in the table below, the Respondents overspent the 2017 fiscal
16 year by at least \$6,105.94, which is a deficit carryforward into 2018:

17

LEGAL EXPENSES JANUARY 1, 2016 THROUGH APRIL 30, 2018	
FY2016 Budget (AC Ex. 8)	\$15,000.00
Incurred Clark Hill (AC Ex.7)	(19,049.20)
2016 overspend	<u>(\$4,049.20)</u>
FY2017 Budget (AC Ex. 10)	\$40,000.00
Carryforward payable (2016)	(4,049.20)
Shaw-Lines non-litigation (AC Ex. 11)	(15,449.00)
Clark Hill CV2016-055080 (AC Ex. 12)	(8,051.50)
Shaw-Lines CV2016-055080 (AC Ex. 12)	(15,125.00)
Judgment – CC20166164084-RC	(3,431.24)
Total Known Legal Expenses	(46,105.94)
2017 overspend	<u>(\$6,105.94)</u>

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1 **II. Adoption of the HOA budgets require reliable financial statements**

2 The additional undisclosed and unaccounted legal expenses for 2017 and
3 2018 are: 1) the cost of JP case (CC20166164084-RC concluded on March 29,
4 2017); 2) the cost of the lower court of appeals case (LC2017-000273-001
5 concluded on October 19, 2017); and 3) their answering 1 CA CV 17-0543
6 (submitted on January 16, 2018). The Respondents and their general counsel
7 have stonewalled providing the Petitioner with the complete financial details of all
8 their legal expenses claiming that the billing on ongoing litigation is attorney client
9 privileged.

10 In addition to the indisputable understatement of the 2017 legal expenses
11 as cited in the previous section, the Respondent HOA's 2016 "Statement of
12 Revenues and Expenses" (Ex. A) lists a \$10,000 land lease expense payment
13 when the HOA is not a party to any land leases and fails to identify the \$4,049.20
14 payable to the Clark Hill law firm.

15 The Petitioner has made multiple requests of the HOA president, Mr.
16 Bengson for the HOA financials as required by A.R.S. § 33-1243.J:

17 "Unless any provision in the condominium documents
18 requires an annual audit by a certified public accountant,
19 the board of directors shall provide for an annual
20 financial audit, review or compilation of the association.
21 The audit, review or compilation shall be completed no
22 later than one hundred eighty days after the end of the
23 association's fiscal year and shall be made available on
24 request to the unit owners within thirty days after its
25 completion."

26 At an August 2016 meeting to review the HOA financial records the
27 Petitioner was joined Mr. Bernard Propst. Mr. Propst has decades long
28 experience in the accounting profession as outlined in Mr. Propst's March 2, 2018
declaration (Ex. B), where he states: "Mr. Bengson provided a variety of financial
spreadsheets for 2006 through 2015 [see AC Ex. 5] which do not qualify as
audited, reviewed or compiled financial statements." And "When asked about the

1 financial statements and the HOA's statutory obligation to have reliable financial
2 statements, Mr. Bengson indicated the spreadsheets were the complete set of
3 records for the HOA. He did not see the necessity to have independently verified
4 financial statements now or in the future."

5 Without reliable financial statements that show HOA expense payables it is
6 impossible for the homeowners to know whether their assessments are going for
7 current expenditures or for paying off the previous year's unauthorized expenditures.

8 **III. Conclusion**

9 Even without the Respondents disclosing their unaccounted-for legal
10 expenses, it is demonstrable that the Respondents overspent the 2017 budget,
11 and highly probable that the Respondents overspent the 2018 budget, as well.
12 There is no doubt that the 2017 legal expenses exceeded the \$40,000 authorized
13 budgeted amount.

14 The Respondents continued to violate the Order, aided and abetted from
15 their community manager whose financial income/expense spreadsheets do not
16 account for the HOA's payables and cannot be considered a reliable financial
17 compilation as required by A.R.S. § 33-1243.J, and the HOA's general counsel
18 who hides incurred legal expenses under the guise of the attorney-client privilege.

19 Without reliable financial statements and full disclosure of all incurred legal
20 expenses, the Respondents' budgets are nothing more than a sham. Perhaps the
21 Court, on its own motion, should order a complete audit of the Respondent HOA's
22 finances and the HOA's general counsel's time sheets.

23 If not, through discovery, the Petitioner intends to determine whether the
24 Respondents overspent the 2018 budget. If that is the case, the Petitioner will
25 ask the Court to amend the Complaint to include those potential violations.

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

Dated this 31st day of December 2018.



R. L. Whitmer

ORIGINAL filed this
31st day of December 2018, with the Court;

and a COPY hand delivered this same date to:

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

Exhibit A

The Hilton Casitas Council of Homeowners

02 - Statement of Revenues and Expenses

Posted 12/1/2016 to 12/31/2016 11:59:00 PM

	Current Month Operating			Year to Date Operating			Annual
	Actual	Budget	Variance	Actual	Budget	Variance	
REVENUES							
<u>Revenues</u>							
5010 Assessments	122,121.48	100,585.92	21,535.56	122,121.48	100,585.92	21,535.56	100,585.92
TOTAL Revenues	122,121.48	100,585.92	21,535.56	122,121.48	100,585.92	21,535.56	100,585.92
TOTAL REVENUES	122,121.48	100,585.92	21,535.56	122,121.48	100,585.92	21,535.56	100,585.92
EXPENSES							
<u>Administrative</u>							
8500 Bank charges	0.00	360.00	(360.00)	0.00	360.00	(360.00)	360.00
8530 Insurance	1,595.00	1,595.00	0.00	1,595.00	1,595.00	0.00	1,595.00
8540 Legal Fees ←	14,802.00	15,000.00	(198.00)	→ 14,802.00 ←	15,000.00	(198.00)	15,000.00
8545 Land Lease ←	10,000.00	0.00	10,000.00	→ 10,000.00 ←	0.00	10,000.00	0.00
8550 Management fee	1,350.00	3,000.00	(1,650.00)	1,350.00	3,000.00	(1,650.00)	3,000.00
8555 Management Fee Hilton	12,180.00	12,180.00	0.00	12,180.00	12,180.00	0.00	12,180.00
8570 Meeting expense	75.00	0.00	75.00	75.00	0.00	75.00	0.00
8590 Office expense	1,469.05	0.00	1,469.05	1,469.05	0.00	1,469.05	0.00
8595 Accounting/misc fees	425.00	400.00	25.00	425.00	400.00	25.00	400.00
8625 Security	29,035.65	28,035.65	3,000.00	29,035.65	28,035.65	3,000.00	28,035.65
8634 AZ Corp Comm Report	125.00	0.00	125.00	125.00	0.00	125.00	0.00
TOTAL Administrative	71,046.70	58,570.65	12,476.05	71,046.70	58,570.65	12,476.05	58,570.65
<u>Landscaping</u>							
8010 Landscape - contract	8,844.15	8,844.15	0.00	8,844.15	8,844.15	0.00	8,844.15
TOTAL Landscaping	8,844.15	8,844.15	0.00	8,844.15	8,844.15	0.00	8,844.15
<u>Repairs and Maintenance</u>							
8340 Storage	652.30	0.00	652.30	652.30	0.00	652.30	0.00
8355 Street maintenance/Repairs	500.00	500.00	0.00	500.00	500.00	0.00	500.00
TOTAL Repairs and Maintenance	1,152.30	500.00	652.30	1,152.30	500.00	652.30	500.00
<u>Utilities</u>							
8400 Electric	478.87	478.87	0.00	478.87	478.87	0.00	478.87
8410 Gate Telephone	778.02	778.02	0.00	778.02	778.02	0.00	778.02
8425 Sewer	10,851.84	10,851.84	0.00	10,851.84	10,851.84	0.00	10,851.84
8440 Trash	8,700.00	8,700.00	0.00	8,700.00	8,700.00	0.00	8,700.00
TOTAL Utilities	20,808.73	20,808.73	0.00	20,808.73	20,808.73	0.00	20,808.73
<u>z - Reserve Contributions</u>							
8700 Reserve - contribution	24,872.67	24,872.67	0.00	24,872.67	24,872.67	0.00	24,872.67
TOTAL z - Reserve Contributions	24,872.67	24,872.67	0.00	24,872.67	24,872.67	0.00	24,872.67
TOTAL EXPENSES	126,524.55	113,398.20	13,126.35	126,524.55	113,398.20	13,126.35	113,398.20
Excess Revenue / Expense	(4,403.07)	(12,810.28)	8,407.21	(4,403.07)	(12,810.28)	8,407.21	(12,810.28)

Exhibit B

DECLARATION OF BERNIE PROPST

1. I, Bernie Propst, have personal knowledge of the matters set forth in this Declaration.
2. I have more than 25 years of extensive business experience in finance, accounting, taxation, auditing, and general management. I earned my CPA license in California in 1980. My work experience has included several years of external and internal auditing of public and private businesses, and Corporate positions of Controller, Treasurer, and Chief Financial Officer. I have also served on the Board of Directors of private companies.
3. I earned a Bachelor of Science in accounting and management information systems from California State University, Sacramento.
4. On August 11, 2016, I accompanied Mr. Whitmer to a 1:00pm meeting to examine several years of HOA financial records, which were to include the HOA's audited, reviewed, or compiled financial statements at the HOA President's, Mr. Bengson's, State Farm insurance office located 8889 E. Bell Rd., Suite 101, Scottsdale, Arizona.
5. Mr. Bengson provided a variety of financial documents including spreadsheets for 2006 through 2015 which do not qualify as audited, reviewed, or compiled financial statements.
6. When asked about the financial statements and the HOA's statutory obligation to have reliable financial statements, Mr. Bengson indicated the spreadsheets were the complete set of records for the HOA. He did not see the necessity to have independently verified financial statements now or in the future.
7. During the course of the meeting Mr. Bengson, who insisted on being present, was disruptive and abusive to Mr. Whitmer using a variety of obscene and threatening language. Because of Mr. Bengson's unruly behavior the meeting concluded early.

Pursuant to **Rule 80(i)** of the Arizona Rules of Civil Procedure, I, Bernie Propst, declare under the penalty of perjury that this Declaration is true and correct to the best of my information, knowledge and belief.

DATED this 2nd day of March, 2018.


Bernie Propst

Exhibit C

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 Entities, and not
22 personally

23 Respondents.

CV2016-055080

SECOND FIRST AMENDED
VERIFIED COMPLAINT

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

(Assigned to the Honorable
Cynthia Bailey)

24 For the **second amended** complaint Petitioner alleges as follows (**changes**
25 **shown in bold and underline, strike outs**):

26 Pursuant to A.R.S. § 32.2199.02(B), Article 6, § 14 of the Arizona
27 Constitution, A.R.S. §12-864 and Rule 65(f)¹ Ariz. R. Civ. P., the Petitioner hereby
28 submits the following VERIFIED COMPLAINT:

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

¹ 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 Respondent "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.

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

4. There is no provision in the Declaration that expressly authorizes the
board of directors on its own to adopt or amend budgets. Accordingly, the board
and its officers are required by statute and the administrative law order to secure
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, Mr. Bengson, the HOA president, failed to have the board did not
10 adopt a 2016 budget.

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

15 9. For more than 10 years, including 2016, the 29 unit owners of Hilton
16 Casitas have been assessed \$125 a month for Safeguard security² (Ex. 5). On
17 August 25, 2016, the Hilton Casitas board sent out an email (Ex. 6) announcing
18 that the Safeguard security agreement had been renegotiated, and that there
19 would be substantial savings. Without amending the budget, the board
20 president, Mr. Bengson, decided ~~announced~~ that they would be putting the
21 savings into a reserve account.

22 10. Any re-appropriating of assessment payments requires the HOA
23 president to call a meeting in order for that the board amend the budget, and
24 then give all of the unit owners the opportunity to oppose or ratify any budget
25 amendments. No such action was taken.

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

1 11. The HOA 2016 legal expenses budget was \$15,000 (Ex. 7) and,
2 through the actions of its president, was over spent by 20% or \$4,049.20 without
3 amending the budget as required by A.R.S. § 33-1243.D and the Administrative
4 Law Judge's order. The overspending is evidence by the billing records of the
5 HOA's counsel Mr. Bob Anderson (Ex. 8).

6 12. The 2017 income/expense statement (Ex. 10) shows \$40,000 in
7 authorized legal expenses, and only \$27,112.50 of legal expenses incurred.
8 However, the known legal expenses exceed that report. The HOA general
9 counsel's invoices show \$15,449.00 of non-litigation billings (Ex. 11) and
10 their attorney's affidavits in this action alone show \$27,951.50 (Ex.12), plus
11 they paid a \$3,431.24 judgment in CC2016-164084-R after losing in the lower
12 court of appeals, and with the 2016 \$4,049.20 legal expense carryforward,
13 their total legal expenditure for 2017 was \$46,105.20 at a minimum³. Which
14 is at least \$6,105.74 more than authorized by the budget. The HOA's
15 president and CEO, Mr. Bengson oversaw the HOA's budget and incurring
16 legal expenses and knew that overspending the budgeted legal expenses
17 required amending the budget, and that not amending the budget was a
18 violation of the Administrative Law Judge's order, and nevertheless
19 overspent the authorized legal expenses without taking any action to
20 amend the budget. Thus, Mr. Bengson willfully violated the Order and
21 caused the Respondent HOA to violated the Order.

22 13. The administrative law judge ordered the following: 1) compliance
23 with A.R.S. § 33-1243(D); 2) ordered Hilton Casitas to pay the petitioner his filing
24 fees; 3) did not impose sanctions against Hilton Casitas based upon Mr.
25 Bengson's, now the purported Hilton Casitas president, promise to the tribunal to

26 ³ The additional unaccounted legal expenses for 2017 and 2018 are: 1) the cost of
27 JP case (CC20166164084-RC concluded on March 29, 2017); 2) the cost of the
28 lower court of appeals case (LC2017-000273-001 concluded on October 19, 2017);
and 3) their answer to 1 CA CV 17-0543 (submitted on January 16, 2018).

1 "get everything on the right track." (Ex. 1, p2:22). In his testimony, Mr. Bengson,
2 promised that the would be amended and ratified. No such amendment or
3 ratification took place.

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

13 15. For the sake of order and clarity, it expressly stated that this case
14 and requested relief does not arise out of contract, but rather is a matter of
15 statutory compliance. Specifically, the requested relief is the enforcement of the
16 Administrative Law Judge's order of No. 14H-F1415004-BFS through contempt of
17 court proceedings pursuant to A.R.S. § 32-2199.02(B) by finding the HOA and its
18 president in contempt for failure to comply with the Administrative Law Judge's
19 order and sanction them as the Court finds appropriate.

20 Petitioner THEREFORE, requests that a hearing be set, and hereby
21 submits his REQUEST by VERIFIED COMPLAINT to find the Respondents
22 pursuant to A.R.S. §32-2199.02(B) in contempt of the Administrative Law
23 Decision No. 14F-H1415004-BFS (Ex. 1), and to sanction Hilton Casitas, and its
24 president, Mr. Bengson, as the Court finds appropriate to insure that in the future
25 Hilton Casitas' board and officers obey the administrative law order to follow
26 A.R.S. § 33-1243(D).

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Dated this ____ day of January 2019.

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R. L. Whitmer

ORIGINAL filed this
____ day of January 2019, with the Court;

and a COPY hand delivered this same date to:

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

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VERIFICATION

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

DATED this ____ day of January, 2019.

R. L. Whitmer
Petitioner

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. Billing records for HOA 2016 legal expenses
8. Hilton Casitas 2016 Budget
9. Scottsdale Hilton Hotel Management Contract
10. 2017 income and expenses statement
11. Shaw and Lines' 2017 non-litigation billing invoices
12. Clark Hill's and Shaw Lines' 2017 attorneys fees timesheets in CV2016-055080

Exhibit 10

HILTON CASTAS COUNCIL OF HOMEOWNERS HOA

2018 PROPOSED BUDGET

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	ANNUAL	Per Castia
29 NUMBER OF CASTAS:														
29 Castias @ \$261.14														
REVENUES:														
5010: Assessments	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 7,573.06	\$ 90,876.72	\$ 3,133.68
5060: Interest Income	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 0.50	\$ 6.00	\$ 0.21
Sewer "NEW" avg amount per castia total	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 9,707.88	\$ 334.75
TOTAL REVENUES	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 8,382.55	\$ 100,590.40	\$ 3,468.64
EXPENSES:														
ADMINISTRATIVE														
8520: Copies	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 896.88	\$ 31.03
8530: Insurance	\$ -	\$ -	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,500.00	\$ 86.21
8540: Legal Fees	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 3,333.00	\$ 40,000.00	\$ 1,379.31
8560: Management fee	\$ 800.00	\$ 835.00	\$ 835.00	\$ 835.00	\$ 835.00	\$ 835.00	\$ 835.00	\$ 835.00	\$ 835.00	\$ 835.00	\$ 835.00	\$ 835.00	\$ 9,985.00	\$ 344.31
8590: Office expense	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 600.00	\$ 21.43
8600: Postage	\$ 47.00	\$ 47.00	\$ 47.00	\$ 47.00	\$ 47.00	\$ 47.00	\$ 47.00	\$ 47.00	\$ 47.00	\$ 47.00	\$ 47.00	\$ 47.00	\$ 564.00	\$ 19.45
8610: Professional fees	\$ -	\$ -	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ 6.90
8633: Taxes - other	\$ -	\$ -	\$ 60.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60.00	\$ 2.07
TOTAL ADMINISTRATIVE	\$ 4,205.00	\$ 4,340.00	\$ 7,200.00	\$ 4,340.00	\$ 4,340.00	\$ 4,340.00	\$ 4,340.00	\$ 4,340.00	\$ 4,340.00	\$ 4,340.00	\$ 4,340.00	\$ 4,340.00	\$ 54,909.88	\$ 1,893.41
LANDSCAPING														
8010: Landscape - contract	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00	\$ 6,300.00	\$ 217.24
8015: Landscaping - Misc	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 700.00	\$ 24.14
8050: Landscaping - Tree Trimming	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ 656.80	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,052.80	\$ 36.44
8060: Sprinkler Repair	\$ -	\$ -	\$ -	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300.00	\$ -	\$ -	\$ 600.00	\$ 20.69
TOTAL LANDSCAPE	\$ 525.00	\$ 525.00	\$ 525.00	\$ 825.00	\$ 525.00	\$ 725.00	\$ 1,381.80	\$ 525.00	\$ 525.00	\$ 825.00	\$ 1,225.00	\$ 525.00	\$ 8,658.80	\$ 298.51
REPAIRS AND MAINTENANCE														
8336: Gates Maintenance	\$ 450.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 5,400.00	\$ 186.21
GATE EQUIPMENT "NEW"	\$ 100.00	\$ 3,500.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 4,600.00	\$ 158.62
8395: Street Sweeping	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 1,200.00	\$ 41.38
8390: Repairs - other	\$ 500.00	\$ -	\$ -	\$ 500.00	\$ -	\$ -	\$ 500.00	\$ -	\$ -	\$ 500.00	\$ -	\$ -	\$ 2,000.00	\$ 68.97
8395: Supplies - other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL REPAIRS & MAINT	\$ 1,150.00	\$ 4,050.00	\$ 650.00	\$ 1,150.00	\$ 650.00	\$ 650.00	\$ 1,150.00	\$ 650.00	\$ 650.00	\$ 1,150.00	\$ 650.00	\$ 650.00	\$ 13,200.00	\$ 455.17
UTILITIES														
8420: Sewer- Based on 2017 avg expenses	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 808.99	\$ 9,707.88	\$ 334.75
8400: Electric	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 600.00	\$ 20.69
8435: Garbage	\$ 725.00	\$ 725.00	\$ 725.00	\$ 725.00	\$ 725.00	\$ 725.00	\$ 725.00	\$ 725.00	\$ 725.00	\$ 725.00	\$ 725.00	\$ 725.00	\$ 8,700.00	\$ 300.00
8425: Gate Telephone	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 900.00	\$ 31.03
TOTAL UTILITIES	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 1,658.99	\$ 19,907.88	\$ 686.48
RESERVES														
Reserve Contribution	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 3,916.92	\$ 135.07
TOTAL RESERVES	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 326.41	\$ 3,916.92	\$ 135.07
RESERVE EXPENSES														
STREET REPAIR PROJECT "NEW"	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,300.00	\$ 527.59
TOTAL RESERVE EXPENSES	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,300.00	\$ 527.59
TOTAL RESERVE CONTRIBUTIONS & OPERATING EXPENSES	\$ 7,965.40	\$ 10,900.40	\$ 10,340.40	\$ 8,300.40	\$ 7,500.40	\$ 7,700.40	\$ 8,857.20	\$ 7,500.40	\$ 7,500.40	\$ 8,300.40	\$ 8,200.40	\$ 7,504.40	\$ 100,590.40	\$ 3,468.64
NET INCOME (LOSS)	\$ 417.15	\$ 12,517.85	\$ 1,977.85	\$ 82.15	\$ 882.15	\$ 682.15	\$ 474.65	\$ 882.15	\$ 882.15	\$ 82.15	\$ 182.15	\$ 878.15	\$ 0.00	\$ 0.00

Exhibit 11

Shaw & Lines, LLC
4523 E. Broadway Road
Phoenix, AZ 85040

Ph: 480-456-1500

Fax: 480-456-1515

The Hilton Casitas Council of Homeowners
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona
85082

August 23, 2017

Attention: Evon

File #: WhitmerEnfor
Inv #: Settle

RE: Whitmer Enforcement Matter

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-28-17	Review file. Review documents regarding violations. Draft and send enforcement violation letter.	1.00	250.00	AHS
Mar-10-17	[REDACTED]	0.20	50.00	NDP
Totals		1.20	\$300.00	
Total Fee & Disbursements for all charges on this matter				\$300.00

TAX ID Number: 20-8351140

PAYMENT DETAILS

Mar-10-17	250.00
Apr-20-17	50.00
Total Payments	\$300.00

Shaw & Lines, LLC
4523 E. Broadway Road
Phoenix, AZ 85040

Ph: 480-456-1500

Fax: 480-456-1515

The Hilton Casitas Council of Homeowners
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona
85082

August 23, 2017

Attention: Evon

File #: WhitmerFor
Inv #: Settle

RE: Whitmer Foreclosure Matter

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-04-17	[REDACTED]	1.00	250.00	AHS
Aug-07-17	Receive updated ledger, review same. E-mail to manager requesting clarification of ledger balance.	0.20	50.00	NDP
	[REDACTED]	0.60	150.00	NDP
Aug-08-17	E-mails to manager requesting clarification regarding ledger and update on violation status and violation notices. Awaiting response.	0.20	50.00	NDP
	Review updated ledger, balance forward ledger, and governing documents. Confirm existing violations with manager and draft enforcement and collection demand letter to owner. E-mail same to client and owner.	1.50	375.00	NDP
Aug-11-17	Receive e-mail from Board requesting copy of demand letter sent to owner. Respond to same providing requested copy.	0.20	50.00	NDP
Aug-21-17	[REDACTED]	0.80	200.00	AHS

[REDACTED]			
[REDACTED]	1.00	250.00	NDP
[REDACTED]			
[REDACTED]			
[REDACTED]			

Totals 5.50 \$1,375.00

Total Fee & Disbursements for all charges on this matter \$1,375.00

TAXID Number 20-8351140

Shaw & Lines, LLC
4523 E. Broadway Road
Phoenix, AZ 85040

Ph: 480-456-1500

Fax: 480-456-1515

The Hilton Casitas Council of Homeowners
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona
85082

August 23, 2017

Attention: Evon

File #: WhatWeb
Inv #: Settle

RE: Whitmer Website Matter

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-27-17	[REDACTED]	1.00	250.00	AHS
Feb-28-17	Draft Cease and Desist Letter regarding Website. Send same.	0.70	175.00	AHS
Mar-10-17	[REDACTED]	0.20	50.00	NDP
	Totals	1.90	\$475.00	

Total Fee & Disbursements for all charges on this matter \$475.00

TAX ID Number 20-8351140

PAYMENT DETAILS

Mar-10-17	425.00
Apr-20-17	50.00
Total Payments	<u>\$475.00</u>

Shaw & Lines, LLC
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Phoenix, AZ 85040

Ph: 480-456-1500

Fax: 480-456-1515

The Hilton Casitas Council of Homeowners
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona
85082

August 23, 2017

Attention: Evon

File #: WhitmerRecor
Inv #: Settle

RE: Whitmer Records Request Matter

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-02-17	[REDACTED]	1.00	290.00	AHS
Mar-23-17	[REDACTED]	0.80	216.00	NDP
Aug-17-17	[REDACTED]	0.80	216.00	NDP
Aug-22-17	[REDACTED]	0.50	145.00	AHS
Aug-23-17	[REDACTED]	1.70	493.00	AHS
	Totals:	4.80	\$1,360.00	

Total Fee & Disbursements for all charges on this matter \$1,360.00

TAX ID Number 20-8351140

PAYMENT DETAILS

Apr-20-17 506.00

Total Payments \$506.00

Shaw & Lines, LLC
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Phoenix, AZ 85040

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Fax: 480-456-1515

The Hilton Casitas Council of Homeowners
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona
85082

August 23, 2017

Attention: Evon

File #: General2254
Inv #: Settle

RE: General Matters

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Feb-22-17	Draft proposed mail ballots for ratification of the 2016 and 2017 Budget.	1.20	300.00	AHS
	[REDACTED]	1.00	290.00	AHS
	[REDACTED]	0.50	145.00	AHS
	[REDACTED]	0.20	58.00	AHS
	[REDACTED]	0.10	29.00	AHS
Mar-03-17	[REDACTED]	0.80	232.00	AHS
	[REDACTED]	0.20	58.00	AHS

	[REDACTED]			
	[REDACTED]	0.40	116.00	AHS
	[REDACTED]			
	Revise Ballot to ratify 2016 Budget Summary and Profit and Loss Statement of the Association.	0.40	116.00	AHS
	[REDACTED]	0.20	58.00	AHS
Mar-06-17	[REDACTED]	0.50	135.00	NDP
Mar-08-17	[REDACTED]	0.30	81.00	NDP
Mar-12-17	[REDACTED]	1.50	435.00	AHS
Mar-13-17	[REDACTED]	0.40	116.00	AHS
	[REDACTED]	0.40	0.00	NDP
Mar-15-17	[REDACTED]	0.50	145.00	AHS

	[REDACTED]			
	[REDACTED]	0.20	58.00	AHS
Mar-23-17	[REDACTED]	0.70	203.00	AHS
Mar-27-17	[REDACTED]	0.40	116.00	AHS
Mar-30-17	[REDACTED]	1.40	406.00	AHS
	Travel to and conduct annual meeting. Count ballots for quorum purposes and tally votes regarding the Board of Directors election and 2016 and 2017 budget ballots.	2.70	783.00	AHS
	No Charge Entry - Savings of \$540.00 Travel to and attend annual meeting. Count ballots for quorum purposes and tally votes regarding the Board of Directors election and 2016 and 2017 budget ballots.	2.00	0.00	NDP
Apr-03-17	[REDACTED]	0.70	175.00	NDP
May-04-17	[REDACTED]	0.20	58.00	AHS
Jun-05-17	write off bill per client request	0.00	-58.00	AHS
	Totals	16.90	\$4,055.00	

Total Fee & Disbursements for all charges on this matter

\$4,055.00

TAX ID Number 20-8351140



SHAW & LINES, LLC
 COUNSELORS TO COMMUNITY ASSOCIATIONS
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Fax:480-456-1515

The Hilton Casitas Council of Homeowner
 c/o Cornerstone Properties
 P.O. Box 62073
 Phoenix, Arizona 85082

November 30, 2017

Attention: Evon

File #: [REDACTED] Super
 Inv #: 48430

RE: [REDACTED]

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Nov-14-17	[REDACTED]	0.30	75.00	AHS
	[REDACTED]			
	[REDACTED]	0.20	50.00	AHS
	[REDACTED]			
Nov-17-17	[REDACTED]	0.20	50.00	AHS
	[REDACTED]			
	[REDACTED]			
	Totals	0.70	\$175.00	

Total Fee & Disbursements \$175.00

Balance Now Due \$175.00

GL Code: 8540 Amount: \$ 175.00
 GL Code: _____ Amount: \$ _____

TAX ID Number 20-8351140

DEC 01 2017

GL Code: _____ Amount: \$ _____
 Approved: [Signature] Date: 12/5



SHAW & LINES, LLC

COUNSELORS TO COMMUNITY ASSOCIATIONS
4523 E. Broadway Road
Phoenix, AZ 85040

not an error



GL Code: 8540 Amount: \$ 3000
GL Code: _____ Amount: \$ _____

SEP 01 2017

Ph:480-456-1500

Fax:480-456-1515

GL Code: _____ Amount: \$ _____
Approved: SP Date: 9/12/17
August 31, 2017

The Hilton Casitas Council of Homeowner:
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona 85082

Attention: Evon

File #: WhitmerFor
Inv #: 48033

RE: Whitmer Foreclosure Matter

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-04-17	[REDACTED]	1.00	250.00	AHS
Aug-07-17	[REDACTED]	0.20	50.00	NDP
Aug-08-17	[REDACTED]	0.60	150.00	NDP
Aug-08-17	[REDACTED]	0.20	50.00	NDP
Aug-11-17	[REDACTED]	1.50	375.00	NDP
Aug-11-17	[REDACTED]	0.20	50.00	NDP
Aug-21-17	[REDACTED]	0.80	200.00	AHS



Totals

3.20 \$800.00

Total Fee & Disbursements

\$800.00

Balance Now Due

\$800.00

TAX ID Number 20-8351140



SHAW & LINES, LLC

COUNSELORS TO COMMUNITY ASSOCIATIONS

4523 E. Broadway Road
Phoenix, AZ 85040

GL Code: _____ Amount \$ _____
GL Code: _____ Amount \$ _____

SEP 01 2017

GL Code: _____ Amount: \$ _____
Approved: _____ Date _____

Ph:480-456-1500

Fax:480-456-1515

The Hilton Casitas Council of Homeowner:
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona 85082

August 31, 2017

Attention: Evon

File #: WhitmerSuper
Inv #: 48032

RE: R.L. Whitmer and Colleen London - Superior Court Lawsuit

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-03-17	[REDACTED]	0.20	50.00	AHS
Aug-04-17	[REDACTED]	0.60	150.00	AHS
	[REDACTED]	0.60	150.00	NDP
Aug-14-17	[REDACTED]	0.40	100.00	AHS
Aug-22-17	[REDACTED]	1.00	250.00	AHS
	[REDACTED]	0.20	50.00	NDP
Aug-28-17	[REDACTED]	0.20	50.00	NDP

[REDACTED]

[REDACTED]

1.00 250.00 NDP

Aug-28-17

[REDACTED]

0.30 75.00 AHS

[REDACTED]

1.60 400.00 NDP

Totals

7.40 \$1,850.00

Total Fee & Disbursements

\$1,850.00

Balance Now Due

\$1,850.00

TAX ID Number 20-8351140



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Fax:480-456-1515

The Hilton Casitas Council of Homeowner
 c/o Cornerstone Properties
 P.O. Box 62073
 Phoenix, Arizona 85082

August 31, 2017

Attention: Evon

File #: WhitmerRecor
 Inv #: 48034

RE: Whitmer Records Request Matter

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-17-17	[REDACTED]	0.80	216.00	NDP
Aug-22-17	[REDACTED]	0.50	145.00	AHS
Aug-23-17	[REDACTED]	1.70	493.00	AHS
Aug-24-17	[REDACTED]	0.40	116.00	AHS
	Totals	3.40	\$970.00	

Total Fee & Disbursements

\$970.00

Balance Now Due

\$970.00

TAX ID Number 20-8351140



SHAW & LINES, LLC
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 Phoenix, AZ 85040

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The Hilton Casitas Council of Homeowner
 c/o Cornerstone Properties
 P.O. Box 62073
 Phoenix, Arizona 85082

September 30, 2017

Attention: Evon

File #: WhitmerSuper
 Inv #: 48169

RE: R.L. Whitmer and Colleen London - Superior Court Lawsuit

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Sep-20-17	[REDACTED]	0.30	75.00	NDP
Sep-21-17	[REDACTED]	0.20	50.00	NDP
	[REDACTED]	0.20	50.00	NDP
Sep-29-17	[REDACTED]	0.30	75.00	NDP
	Totals	1.00	\$250.00	

Total Fee & Disbursements

\$250.00

Balance Now Due

\$250.00

TAX ID Number 20-8351140

GL Code: 8540 Amount: \$ 3,000
 GL Code: _____ Amount: \$ _____

OCT 02 2017

GL Code: _____ Amount: \$ _____
 Approved: [Signature] Date: 10/31/17



SHAW & LINES, LLC

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Phoenix, AZ 85040

Ph:480-456-1500

Fax:480-456-1515

The Hilton Casitas Council of Homeowner
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona 85082

September 30, 2017

Attention: Evon

File #: WhitmerFor
Inv #: 48170

RE: Whitmer Foreclosure Matter

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Sep-11-17	[REDACTED]	0.50	125.00	NDP
Sep-14-17	[REDACTED]	1.00	250.00	AHS
Sep-15-17	[REDACTED]	2.40	600.00	NDP
Sep-19-17	[REDACTED]	0.20	50.00	NDP
Totals		4.10	\$1,025.00	

Total Fee & Disbursements	GL Code: _____	Amount: \$ _____	<u>\$1,025.00</u>
	GL Code: _____	Amount: \$ _____	

Balance Now Due	OCT 02 2017	<u>\$1,025.00</u>
------------------------	--------------------	--------------------------

GL Code: _____ Amount: \$ _____
 Approved: _____ Date: _____



SHAW & LINES, LLC

COUNSELORS TO COMMUNITY ASSOCIATIONS

4523 E. Broadway Road
Phoenix, AZ 85040

Ph:480-456-1500

Fax:480-456-1515

The Hilton Casitas Council of Homeowner:
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona 85082

September 30, 2017

Attention: Evon

File #: WhitmerRecor

Inv #: 48171

RE: Whitmer Records Request Matter

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Sep-21-17	[REDACTED]	0.30	75.00	NDP
Sep-22-17	[REDACTED]	0.30	87.00	AHS
Totals		0.60	\$162.00	
Total Fee & Disbursements				\$162.00
Balance Now Due				\$162.00

TAX ID Number 20-8351140

GL Code: _____ Amount: \$ _____
GL Code: _____ Amount: \$ _____

OCT 02 2017

GL Code: _____ Amount: \$ _____
Approved: _____ Date: _____



SHAW & LINES, LLC
HOA & CONDO LAWYERS
HOAGUY.COM

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Phoenix, AZ 85040

Ph:480-456-1500

Fax:480-456-1515

The Hilton Casitas Council of Homeowner
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona 85082

October 27, 2017

Attention: Evon

File #: WhitmerJust

Inv #: 48200

RE: R.L. Whitmer and Colleen London - Lot 21 - Justice Court Lawsuit

DISBURSEMENTS

Oct-27-17	Appellee Filing Fee - Whitmer v. Hilton Casitas	140.00
	Totals	<u>\$140.00</u>
	Total Fee & Disbursements	<u>\$140.00</u>
	Balance Now Due	<u>\$140.00</u>

TAX ID Number 20-8351140



SHAW & LINES, LLC

COUNSELORS TO COMMUNITY ASSOCIATIONS

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Phoenix, AZ 85040

Ph:480-456-1500

Fax:480-456-1515

The Hilton Casitas Council of Homeowner.

September 30, 2017

c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona 85082

GL Code: _____ Amount: \$ _____
GL Code: _____ Amount: \$ _____

Attention: Evon

NOV 01 2017

File #: WhitmerFor
Inv #: 48170

RE: Whitmer Foreclosure Matter.

GL Code: 8510 Amount: \$744.
Approved: EP Date: 11/13

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Sep-11-17	[REDACTED]	0.50	125.00	NDP
Sep-14-17	[REDACTED]	1.00	250.00	AHS
Sep-15-17	[REDACTED]	2.40	600.00	NDP
Sep-19-17	[REDACTED]	0.20	50.00	NDP
Totals		4.10	\$1,025.00	
Total Fee & Disbursements				\$1,025.00
Balance Now Due				\$1,025.00



SHAW & LINES, LLC

COUNSELORS TO COMMUNITY ASSOCIATIONS

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Phoenix, AZ 85040

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Fax:480-456-1515

The Hilton Casitas Council of Homeowner
c/o Cornerstone Properties
P.O. Box 62073
Phoenix, Arizona 85082

GL Code: _____ Amount: \$ _____
GL Code: _____ Amount: \$ _____

October 31, 2017

NOV 01 2017

File #: WhitmerSuper

Attention: Evon

GL Code: 8510 Amount: \$ 950 Inv #: _____
Approved: EP Date: 11/13

48316

RE: R.L. Whitmer and Colleen London - Superior Court Lawsuit

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-03-17	[REDACTED]	0.30	75.00	NDP
Oct-06-17	[REDACTED]	0.20	50.00	NDP
	[REDACTED]	0.30	75.00	NDP
	[REDACTED]	0.70	175.00	NDP
Oct-11-17	[REDACTED]	0.20	50.00	NDP
	[REDACTED]	0.20	50.00	NDP
	[REDACTED]	0.20	50.00	NDP
Oct-13-17	[REDACTED]	0.20	50.00	NDP

	[REDACTED]	0.20	50.00	NDP
	[REDACTED]	0.20	50.00	NDP
Oct-17-17	[REDACTED]	0.30	75.00	NDP
	[REDACTED]	0.30	75.00	NDP
	[REDACTED]	0.10	25.00	NDP
	[REDACTED]	0.10	25.00	NDP
Oct-27-17	[REDACTED]	0.30	75.00	AHS
	Totals	3.80	\$950.00	

Total Fee & Disbursements

\$950.00

Balance Now Due

\$950.00

TAX ID Number 20-8351140



SHAW & LINES, LLC
 COUNSELORS TO COMMUNITY ASSOCIATIONS
 4523 E. Broadway Road
 Phoenix, AZ 85040

Ph:480-456-1500

Fax:480-456-1515

The Hilton Casitas Council of Homeowner.
 c/o Cornerstone Properties
 P.O. Box 62073
 Phoenix, Arizona 85082

October 31, 2017

Attention: Evon

GL Code: _____ Amount: \$ _____
 GL Code: _____ Amount: \$ _____

File #: WhitmerEnfor
 Inv #: 48317

NOV 01 2017

RE: Whitmer Enforcement Matter

GL Code: 2510 Amount: \$ 200
 Approved: EP Date: 11/13

DISBURSEMENTS

Oct-23-17	Litigation Guarantee - Whitmer	200.00
	Totals	\$200.00
	Total Fee & Disbursements	\$200.00
	Balance Now Due	\$200.00

TAX ID Number 20-8351140



SHAW & LINES, LLC
 COUNSELORS TO COMMUNITY ASSOCIATIONS
 4523 E. Broadway Road
 Phoenix, AZ 85040

Ph:480-456-1500

Fax:480-456-1515

The Hilton Casitas Council of Homeowner
 c/o Cornerstone Properties
 P.O. Box 62073
 Phoenix, Arizona 85082

GL Code: _____ Amount: \$ _____
 GL Code: _____ Amount: \$ _____

September 30, 2017

NOV 01 2017

Attention: Evon

GL Code: 8510 Amount: \$ 162
 Approved: EP Date: 11/13

File #: WhitmerRecor
 Inv #: 48171

RE: Whitmer Records Request Matter

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Sep-21-17	[REDACTED]	0.30	75.00	NDP
Sep-22-17	[REDACTED]	0.30	87.00	AHS
	Totals	0.60	\$162.00	
	Total Fee & Disbursements			\$162.00
	Balance Now Due			\$162.00

TAX ID Number 20-8351140



SHAW & LINES, LLC
 COUNSELORS TO COMMUNITY ASSOCIATIONS
 4523 E. Broadway Road
 Phoenix, AZ 85040

Ph:480-456-1500

Fax:480-456-1515

The Hilton Casitas Council of Homeowner.

October 31, 2017

c/o Cornerstone Properties
 P.O. Box 62073
 Phoenix, Arizona 85082

GL Code: _____ Amount: \$ _____
 GL Code: _____ Amount: \$ _____

File #: WhitmerFor
 Inv #: 48318

Attention: Evon

NOV 01 2017

RE: Whitmer Foreclosure Matter

GL Code: 8540 Amount: \$ 0
 Approved: EP Date: 11/13

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Oct-04-17	[REDACTED]	0.30	75.00	NDP
Oct-09-17	[REDACTED]	0.10	25.00	NDP
	[REDACTED]	0.10	25.00	NDP
	[REDACTED]	0.20	50.00	NDP
	Totals	0.70	\$175.00	
	Total Fee & Disbursements			\$175.00
	Balance Now Due			\$175.00

TAX ID Number 20-8351140

Shaw & Lines, LLC
 4523 E. Broadway Road
 Phoenix, AZ 85040

Telephone: 480-456-1500 Fax: 480-456-1515

The Hilton Casitas Council of Homeowners
 c/o Cornerstone Properties
 P.O. Box 62073
 Phoenix, Arizona 85082

As at Nov 14, 2017
 Interest Charge To Nov 14, 2017

REMINDER NOTICE

RE: Whitmer Enforcement Matter

Bill Date	Matter #	Inv #	Billed	Interest	Paid	Due	Rate	Aging
Oct -31-17	WhitmerEnfo	48317	200.00	0.00	0.00	200.00	0.00%	<-30 days
Totals			\$200.00	\$0.00	\$0.00	\$200.00		

48317

Balance Due and Owing

~~\$200.00~~
 130.00

Exhibit 12

EXHIBIT A

**DATE TIME ATTORNEY DESCRIPTION OF ATTORNEY FEES
INCURRED**

02/16/2017	0.4	AHS	Draft e-mails to Michael Bengson and manager regarding representation. Provide advice.
02/16/2017	0.3	AHS	Conference with Mr. Anderson and Ms. Martin regarding transition of representation and requested documents.
02/16/2017	0.3	AHS	Conference with Michael Bengson regarding representation and facts of the case.
02/16/2017	2.4	AHS	Review pleadings and documents sent by client regarding litigation. Contemplate same.
02/16/2017	0.3	AHS	Conference with manager regarding facts of the case. Obtain additional information.
02/17/2017	0.2	NDP	Draft e-mail to Ms. Martin and convey Notice of Appearance and Stipulation for Substitution of Counsel and proposed Order. Review responses to same.
02/17/2017	0.2	NDP	Revise Notice of Appearance of Counsel and Stipulation for Substitution of Counsel and proposed Order as requested by Ms. Martin.
02/17/2017	1.0	AHS	Draft and send Litigation Strategy Letter to client.
02/17/2017	0.4	NDP	Draft Notice of Appearance of Counsel and Stipulation for Substitution of Counsel and proposed Order.
02/17/2017	2.5	NDP	*No Charge Entry - Savings of \$625.00* Review Documents and assist attorney Shaw regarding the litigation.
02/17/2017	0.4	NDP	Obtain copy of Administrative Law Judge Order involved in the litigation; save same to file.
02/17/2017	0.2	NDP	Continue revisions on Stipulation for Substitution of Counsel and proposed Order requested by Ms. Martin.
02/17/2017	0.8	NDP	Draft Expedited Motion to Continue Evidentiary Hearing and Proposed Order.
02/21/2017	0.2	NDP	Receive revised and signed Stipulation to Substitution of Counsel with proposed Order; save to file; electronically file same and send with runner to be hand delivered to judge.
02/22/2017	0.2	NDP	E-mail to Clark Hill requesting copies of the Plaintiff's exhibits for the Evidentiary Hearing set for February 28, 2017; receive response that Plaintiff has not yet submitted his actual exhibits.

1	02/22/2017	0.2	NDP	E-mail to Mr. Whitmer requesting copies of exhibits listed in his Exhibit List for the Evidentiary Hearing set for February 28, 2017; save e-mail to file.
2				
3	02/22/2017	0.2	NDP	Telephone call to Judge Anderson's assistant; no answer; left voicemail requesting call back to confirm expedited motion to continue Evidentiary Hearing has been received and check status of same.
4				
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6	02/22/2017	0.4	AHS	Receive e-mail from manager requesting A.R.S. 33-1260(A)(3)(g) Disclosure Statement. Send requested A.R.S. 33-1260(A)(3)(g) Disclosure Statement to manager.
7				
8	02/23/2017	0.2	NDP	Second telephone call to Judge Anderson's assistant; no answer; left voice mail requesting call back to confirm expedited Motion to Continue Evidentiary Hearing has been received and check status of same.
9				
10				
11	02/23/2017	0.5	AHS	Conference with Mr. Whitmer regarding status of case, postponement of upcoming hearing and potential settlement negotiations.
12				
13	02/23/2017	0.4	AHS	Draft e-mail to client regarding conversation with Mr. Whitmer and potential settlement. Provide advice.
14	02/23/2017	0.2	AHS	Draft e-mail to client regarding potential "mini-mediation."
15	02/23/2017	1.0	AHS	Review Whitmer's Evidentiary Hearing Memo. Contemplate same.
16	02/23/2017	0.2	AHS	Review Order to reschedule Hearing. Calendar dates.
17	02/23/2017	0.2	AHS	Draft e-mail to client regarding temporary cancellation of settlement negotiations.
18				
19	02/23/2017	1.0	AHS	Review list of Exhibits for Evidentiary Hearing filed by Mr. Anderson. Contemplate same.
20	02/23/2017	0.3	AHS	Meeting with manager to discuss ratification of 2016 budget and effects on litigation. Provide advice.
21	02/23/2017	1.4	AHS	Review list of Exhibits for Evidentiary Hearing filed by Mr. Whitmer. Contemplate same.
22				
23	02/24/2017	0.5	AHS	Review Casita #21 - Sublease - Whitmer to determine whether Plaintiff Whitmer has standing to assert his claims.
24	02/24/2017	0.2	AHS	Review Special Warranty Deed conveying 1% interests to Whitmer and contemplate whether same conveys a membership interest to Whitmer.
25				
26	02/24/2017	0.3	AHS	Review Association governing documents to determine definition of Member.
27	02/24/2017	0.2	AHS	Draft e-mail to client providing advice concerning the Membership Status of Whitmer.
28				

1	02/24/2017	0.3	AHS	Conference with Mr. Bengson regarding Membership of Whitmer and trial strategy. Provide advice.
2	02/24/2017	0.4	NDP	Conference with manager regarding 2017 ballot cover letter; review cover letter provide recommendation for revisions; discuss same with manager.
3	02/27/2017	0.1	AHS	Conference with Mr. Whitmer regarding Stipulation to Reschedule Evidentiary Hearing. Explain additional rational for extension being considered for settlement offer and vacation of potential witness.
4	02/27/2017	0.3	AHS	Teleconference with Board regarding status of case and how best to move forward. Provide advice.
5	02/27/2017	0.6	AHS	Draft Stipulation and Order to Extend Evidentiary Hearing date to accommodate Bengson. Send same to opposing party for signature.
6	02/27/2017	0.2	AHS	Receive e-mail from Whitmer denying request to execute Stipulation and Order to Extend Evidentiary Hearing date to accommodate Bengson.
7	02/27/2017	1.6	NDP	Review relevant statutes and case law in preparation for drafting Motion to Dismiss.
8	02/28/2017	5.7	NDP	Draft Motion to Dismiss.
9	02/28/2017	1.0	NDP	Review Motion to Dismiss. Finalize same for filing.
10	02/28/2017	0.5	AHS	Review Settlement offer from Whitmer. Discuss same with client. Respond to settlement offer and present counter-offer.
11	02/28/2017	0.2	NDP	E-mail to manager requesting Association governing documents; response from manager providing same; save to file.
12	02/28/2017	0.2	NDP	E-mail from manager providing 2016 financial statement in preparation for ratifying the 2016 budget; save to file.
13	03/01/2017	0.2	AHS	Receive e-mail from Whitmer changing his contact e-mail address. Respond to same and verify contact e-mail address.
14	03/01/2017	0.2	AHS	Receive e-mail from Whitmer regarding witness notification concerning upcoming Hearing. Respond to same.
15	03/02/2017	0.2	NDP	E-mail from previous counsel regarding status of file being sent to firm for takeover of files.
16	03/02/2017	0.3	NDP	E-mails with owner regarding serving the witnesses and clarification regarding same.
17	03/02/2017	0.2	AHS	Review e-mail from Whitmer regarding request for meeting. Respond to same.
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03/03/2017	0.4	NDP	Review exhibit list from Mr. Whitmer; e-mail Mr. Whitmer requesting actual exhibits filed.
03/03/2017	2.7	NDP	Gather documents in preparation for submitting Exhibit list to court and opposing party; draft exhibit list; file same.
03/03/2017	1.3	NDP	Meeting with manager regarding status of documents requested and provide specific instructions on what is needed.
03/03/2017	0.2	NDP	Telephone conference with Judge Anderson's assistant regarding submission of the Respondents' List of Exhibits.
03/03/2017	0.2	NDP	E-mail to Mr. Whitmer forwarding Respondents' List of Exhibits with Exhibits attached; save same to file.
03/05/2017	0.2	AHS	Receive e-mail from Owner regarding allegations of Rule 11 violations; contemplate same.
03/06/2017	0.2	NDP	Receive and review Minute Entry from the Superior Court Vacating the Evidentiary Hearing regarding the Petition for Order to Show Cause; save same to file.
03/06/2017	0.2	NDP	E-mail to Board of Directors and Manager forwarding the Minute Entry from the Superior Court Vacating Evidentiary Hearing regarding the Petition for Order to Show Cause; save to file.
03/06/2017	0.2	NDP	E-mail to Mr. Whitmer forwarding the Minute Entry from the Superior Court Vacating Evidentiary Hearing regarding the Petition for Order to Show Cause; save to file.
03/06/2017	0.2	NDP	Respond to Owner regarding Rule 11 violation allegations; save same to file.
03/06/2017	0.6	NDP	Receive and review Plaintiff's Exhibits for Evidentiary Hearing; save to file.
03/06/2017	0.2	NDP	Receive and review letter from the Office of Administrative Hearings to Mr. Whitmer regarding the proper jurisdiction over an enforcement of an Administrative Law Order; contemplate same and save to file.
03/06/2017	0.2	NDP	E-mail to client forwarding the letter from the Office of Office of Administrative Hearings to Mr. Whitmer regarding the proper jurisdiction over an enforcement of an Administrative Law Order.
03/10/2017	0.2	NDP	Review file and send client e-mail providing case update; save same to file.
03/12/2017	1.0	AHS	Review and analyze Response to Motion to Dismiss.
03/14/2017	0.2	NDP	Receive and review Notice of Errata filed by Plaintiff regarding his Response to the Motion to Dismiss; contemplate same.

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03/16/2017	4.4	NDP	Review relevant Arizona Law. Draft Reply in Support of Motion to Dismiss.
03/16/2017	1.0	AHS	Review and finalize Reply in Support of Motion to Dismiss. File same.
03/20/2017	0.6	AHS	Review e-mails from client regarding potential settlement. Propose a potential settlement to client. Send same.
03/20/2017	0.8	AHS	Draft proposed settlement letter for client approval. Receive requests for revisions. Revise same and seek Association approval to convey.
03/21/2017	0.2	NDP	Receive authorization from the Board to send Mr. Whitmer the settlement letter; confirm same via e-mail and e-mail settlement letter to Mr. Whitmer.
03/21/2017	0.3	AHS	Receive and review Minute Entry Dismissing lawsuit for lack of subject matter jurisdiction; save same to file.
03/21/2017	0.2	AHS	Receive and review minute entry regarding the release of exhibits provided for Order to Show Cause Hearing; save same to file.
03/21/2017	0.4	AHS	Draft e-mail to client regarding the Order Dismissing the lawsuit and the potential changes to the settlement offer to Whitmer; send same and request conference call with Board as soon as possible.
03/21/2017	0.2	NDP	E-mail to Clark Hill regarding the Superior Court Minute Entry Dismissing the lawsuit and requesting an estimate of attorney fees and costs for potential settlement with Mr. Whitmer.
03/21/2017	0.2	NDP	Telephone call with Paige Martin of Clark Hill regarding the Superior Court Minute Entry dismissing the lawsuit and requesting an estimate of attorney fees and costs for potential settlement with Mr. Whitmer; Ms. Martin advised this may take some time due to only one billing matter set up for all Whitmer matters.
03/21/2017	0.5	NDP	Conference call with attorney Shaw regarding the Dismissal of the Superior Court lawsuit and what settlement steps and continued resolution options the Association has available.
03/21/2017	0.2	NDP	Calendar deadline to submit Proposed Form of Order for Superior Court lawsuit.
03/21/2017	0.5	AHS	Conference call with Barrie and Steve regarding Dismissal Order. Explain procedure for obtaining attorney fees through the court fees. Discuss potential global settlement options.
03/21/2017	0.4	NDP	Revise settlement proposal based on discussion with Board

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			members and Superior Court case dismissal.
03/21/2017	0.3	NDP	Draft e-mail to Board and manager regarding Mr. Shaw's telephone conference with Board members and options to proceed; save same to file; awaiting Board decision.
03/21/2017	0.2	NDP	Receive e-mail from Mr. Whitmer regarding filing a lawsuit in the Office of Administrative Hearings; save to file.
03/21/2017	0.4	NDP	E-mail to client forward Mr. Whitmer's e-mail to the Office of Administrative Hearings and Association's options to proceed; save to file.
03/22/2017	0.8	AHS	Review various e-mails regarding settlement positions. Respond to same with advised settlement position and provide advice.
03/22/2017	0.5	AHS	Review e-mail from client conveying approval to convey settlement. Revise settlement letter and send same to client. Convey same to opposing party.
03/23/2017	0.4	AHS	Review Whitmer's rejection of the Association's counter-offer. Contemplate same.
03/23/2017	0.4	AHS	Draft e-mail to Association regarding Whitmer's rejection of settlement offer. Provide advice.
03/27/2017	0.2	AHS	Review e-mails from client providing authorization to proceed with Attorney's Fees Application. Respond to same.
03/27/2017	0.2	AHS	Conference with State Farm adjuster regarding potential insurance coverage. Provide summary of court fees case and current status.
03/27/2017	0.3	NDP	E-mail from insurance representative requesting certain pleadings; review file; respond to insurance representative providing documents requested.
03/27/2017	0.4	NDP	Receive and review Plaintiff's Motion to Reconsider with Exhibits, note second page illegible, save to file.
03/29/2017	0.4	NDP	Receive Minute Entry from Court setting briefing deadlines for Motion to Reconsider; calendar same; save to file.
03/29/2017	0.2	NDP	E-mail to manager forwarding Minute Entry from Court setting briefing deadlines for Motion to Reconsider and advising of deadlines to inform the Board of Directors regarding the same.
03/29/2017	0.2	NDP	E-mail to Whitmer requesting legible copy of the Motion to Reconsider; save to file.
03/29/2017	0.2	NDP	Telephone conference with clerk of court regarding online access to court documents.

1	03/29/2017	0.2	NDP	Obtain access to online case filings; retrieve legible Motion to Reconsider; save to file in preparation for drafting response.
2				
3	03/30/2017	2.7	NDP	Review and analyze attorney fees and costs; begin drafting Affidavit in Support of Application for Award of Attorney Fees pursuant to Court's Minute Entry.
4				
5	03/30/2017	0.8	NDP	Draft Application for Award of Attorney fees.
6	04/04/2017	1.0	NDP	Review file and conduct legal research in preparation for drafting Response to Motion to Reconsider.
7	04/05/2017	1.0	AHS	Review and finalize Response to Motion to Reconsider.
8	04/05/2017	1.6	NDP	Draft Response to Motion to Reconsider and verify citations regarding same.
9				
10	04/06/2017	0.2	NDP	E-mail from Paige with Clark Hill advising she is drafting fee Application and Affidavit to send to firm for filing. Responded advising I will follow up next week.
11				
12	04/07/2017	0.3	NDP	Draft Notice of Lodging Proposed Judgment.
13	04/07/2017	0.4	NDP	Draft Statement of Costs.
14	04/07/2017	0.8	NDP	Review and finalize Affidavit of Attorney in Support of Attorney Fees Application.
15	04/07/2017	0.8	NDP	Draft Proposed Form of Judgment.
16	04/11/2017	0.2	NDP	E-mails with previous counsel regarding status of attorney fee application, affidavit and statement of costs.
17	04/12/2017	0.2	NDP	E-mail from Board President forwarding his direct communications with Clark Hill regarding the fee applications and instruction to contact Mr. Anderson directly. Respond to same.
18				
19				
20	04/12/2017	0.2	NDP	E-mails with Paige Martin regarding fee application and pending motion to reconsider.
21				

ATTORNEY	HOURS	RATE	ATTORNEY TOTAL
AUGUSTUS H. SHAW IV (AHS)	22.6	\$250.00	\$5,650.00
NICOLE D. PAYNE (NDP)	37.9	\$250.00	\$9,475.00
NICOLE D. PAYNE (NDP)	2.5	\$0.00	\$0.00

ATTORNEY FEES INCURRED TOTAL: \$15,125.00

CLARK HILL, PLC

<u>Date</u>	<u>Name / Invoice Number</u>	<u>Hours</u>	<u>Amount</u>	<u>Description</u>
1/3/2017	Robert G. Anderson	0.8	\$284.00	Telephone call from M. Bengson regarding Order to Show Cause.
1/11/2017	Robert G. Anderson	2.2	\$781.00	Prepare answer to Whitmer Complaint.
1/18/2017	Robert G. Anderson	2	\$710.00	Review Exhibits to Complaint (.5); review and revise answer to Complaint (.7); meeting with M. Bengson regarding answer (.5); prepare request for continuance of hearing (.3).
1/23/2017	Robert G. Anderson	0.3	\$106.50	Telephone call to M. Bengson regarding affidavit for hearing.
1/25/2017	Robert G. Anderson	2.1	\$745.50	Review Complaint; review 2014 Administrative Order; review 2016 Annual Meeting documents; prepare affidavit for M. Bengson.
1/26/2017	Robert G. Anderson	1.5	\$532.50	Review and revise affidavit of M. Bengson; prepare exhibits; telephone call to M. Bengson regarding Affidavit.
1/27/2017	Robert G. Anderson	1.8	\$639.00	Meeting with M. Bengson regarding hearing and affidavit; revise affidavit; attend hearing.
2/9/2017	Paige A. Martin	0.2	\$67.00	Prepare notice of appearance.
2/14/2017	Paige A. Martin	0.2	\$67.00	Meeting with R. Anderson regarding case status.
2/15/2017	Robert G. Anderson	0.3	\$106.50	Telephone call from M. Bengson regarding subpoenas of Board Members; hearing in Superior Court.
2/15/2017	Paige A. Martin	0.3	\$100.50	Meeting with R. Anderson regarding case background.
2/16/2017	Andrea L. Padinha	1.8	\$306.00	Review and analyze documents for inclusion on Exhibit List for upcoming Evidentiary Hearing (.80); prepare Exhibit List for upcoming Evidentiary Hearing (.40); begin preparation of Exhibits for upcoming Evidentiary Hearing (60).
2/16/2017	Paige A. Martin	3	\$1,005.00	Meeting with A. Padinha regarding exhibits, review file to determine what exhibits should be listed.
2/17/2017	Andrea L. Padinha	1.7	\$289.00	Teleconference with Judge Anderson's chambers regarding Exhibit Marking (.10); prepare correspondence to Pro Per Plaintiff regarding Plaintiff's Exhibit List for upcoming Evidentiary Hearing (.10); review and analyze Plaintiff's Exhibit List for upcoming

CLARK HILL PLC

Evidentiary Hearing (.30); revise Defendants' Exhibit List of upcoming Evidentiary Hearing (.20); revise and finalize exhibits for upcoming Evidentiary Hearing (.40); attend Exhibit Marking with Clerk for Judge Anderson (.70).

2/17/2017 Paige A. Martin	4	\$1,340.00	Prepare exhibit list, review opposing party's list of exhibits, prepare motion for substitution of counsel, exchange multiple correspondence with new counsel and with opposing party regarding exhibit lists and substitution.
2/24/2017 Andrea L. Padinha	0.2	\$34.00	Prepare correspondence to N. Payne at Shaw and Lines, LLC regarding Plaintiff's Evidentiary Hearing Memo.
3/21/2017 Paige A. Martin	0.2	\$67.00	Review correspondence and telephone conference with N. Payne regarding attorneys' fees and costs after motion to dismiss ruling, and forward same to R. Anderson.
4/5/2017 Paige A. Martin	0.2	\$67.00	Exchange correspondence with N. Payne and R. Anderson regarding attorneys' fees application.
4/6/2017 Paige A. Martin	0.3	\$100.50	Review correspondence from N. Payne regarding attorneys' fees application (.10); review invoices forwarded by R. Anderson (.10); exchange correspondence with R. Anderson regarding additional invoices (.10).
4/11/2017 Paige A. Martin	0.1	\$33.50	Meeting with C. Kemper regarding materials for affidavit of attorneys' fees and costs (.10); prepare correspondence to N. Payne regarding same (n/c).
4/12/2017 Paige A. Martin	2	\$670.00	Prepare declaration regarding attorneys' fees and statement of costs
TOTALS: BILL:	25.2	\$8,051.50	

EXHIBIT A

**DATE TIME ATTORNEY DESCRIPTION OF ATTORNEY FEES
INCURRED**

04/19/2017	0.6	NDP	Receive and review Whitmer's Reply in Support of Motion for Reconsideration under Rule 7.1(g). Contemplate same and save to file.
04/27/2017	0.2	NDP	Receive and review Minute Entry denying Plaintiff's Request for Extension of Time to Respond to Association's Application for Award of Attorney Fees and Statement of Costs. Save to file.
04/27/2017	0.3	NDP	Receive and review Plaintiff's Request for Extension of Time to Respond to Association's Application for Award of Attorney Fees and Statement of Costs. Save to file.
05/08/2017	0.5	NDP	Receive and review Plaintiff's Objection to Motion and Application for Award of Attorney Fees and Costs and Proposed form of Judgment.
05/08/2017	1.0	NDP	Draft Reply in Support of Motion and Application for Award of Attorney Fees.
05/16/2017	0.2	NDP	Receive and review Minute Entry denying Mr. Whitmer's Motion for Reconsideration. Save to file.
05/16/2017	0.2	NDP	Receive and review Signed Judgment in favor of the Association. Save to file.
05/16/2017	0.3	NDP	Draft e-mail to client forwarding copy of Signed Judgment and potential for resolution regarding all Whitmer Matters.
05/17/2017	0.2	AHS	Review e-mail from client regarding collections efforts concerning Mr. Whitmer. Respond to same.
05/22/2017	0.6	AHS	Conference with Board regarding Judgment and options for settlement. Provide advice.
05/24/2017	0.7	AHS	Review and analyze Whitmer's Motion to Vacate Judgment and Grant a New Trial. Contemplate same.
05/24/2017	0.2	AHS	Review e-mail from client regarding Whitmer's Motion to Vacate Judgment and Grant a New Trial; respond to same.
05/24/2017	0.2	AHS	Review e-mail from client regarding potential settlement; respond to same and verify desire to settle in light of Whitmer's Motion to Vacate the Judgment and Grant a New Trial.
05/30/2017	0.8	NDP	Review Petitioner's Motion to Vacate Judgment and Grant a New Trial in preparation for drafting Response to same.
05/30/2017	0.3	NDP	Receive and review Whitmer's Letter to the Arizona State Senate President and the Speaker of the House of

1				Representatives; contemplate same; save to file.
2	05/30/2017	0.2	AHS	Review e-mail from client regarding name of Judgment and Complaint; respond to same.
3	06/02/2017	0.3	NDP	Obtain Conformed copy of Motion to Vacate with Exhibits because the copy mailed to the firm did not contain exhibits and the disk supposedly containing said exhibits was cracked.
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6	06/02/2017	1.2	NDP	Review file and previously filed Motions, Pleadings and exhibits in preparation for drafting Response to Motion to Vacate Judgment.
7				
8	06/02/2017	2.3	NDP	Draft Response to Motion to Vacate Hearing.
9	06/05/2017	0.6	NDP	Review and revise Response to Petitioner's Motion to Vacate Judgment and Grant a New Trial.
10	06/06/2017	1.0	AHS	Review and finalize Response to Petitioner's Motion to Vacate Judgment and Grant a New Trial.
11				
12	06/13/2017	0.4	NDP	Draft e-mail to client regarding status of matter and confirm understanding regarding proceeding with garnishment on Judgment.
13				
14	06/13/2017	0.6	NDP	Draft e-mail to client regarding option to garnish and procedure regarding same; request authorization to proceed.
15				
16	06/13/2017	0.4	NDP	Meeting with Evon and Mr. Shaw regarding Whitmer delinquent in assessments and Association's options to proceed in collections.
17				
18	06/14/2017	0.5	NDP	Receive e-mail from Board President regarding collection of Judgment and claim tendered to insurance; review and contemplate same; provide response with advice regarding same.
19				
20	06/19/2017	0.1	AHS	Receive message from Thomas Garcia from State Farm regarding status of case; leave message for Thomas Garcia from State Farm.
21				
22	06/19/2017	0.1	AHS	Draft e-mail to client regarding call from Thomas Garcia from State Farm and status of potential garnishment.
23				
24	06/19/2017	0.4	NDP	Telephone conference with insurance adjuster regarding review of lawsuit and court's analysis regarding conclusion of lawsuit; discuss potential settlement options regarding same.
25				
26	06/19/2017	0.5	NDP	E-mail to client regarding conversation with insurance adjuster and request settlement authorization regarding same.
27				
28	06/20/2017	0.4	NDP	Telephone conference with insurance adjuster regarding Board's decision to take no action until the Court rules on

			Whitmer's Motion to Vacate.
06/20/2017	0.2	NDP	E-mails with Board regarding potential settlement offer and decision to hold until court rules on Whitmer's Motion to Vacate.
06/21/2017	0.4	AHS	Review and analyze Court's Denial of Whitmer's Motion to Vacate Judgment and Grant New Trial.
06/21/2017	0.4	AHS	Draft e-mail to client regarding Court's Denial of Whitmer's Motion to Vacate Judgment and Grant New Trial.
06/21/2017	0.2	AHS	Conference with manager regarding Court's Denial of Whitmer's Motion to Vacate Judgment and Grant New Trial.
06/21/2017	0.2	NDP	E-mails with Board regarding authorization to proceed with filing fee Application and potential collection options regarding Judgment obtained.
06/21/2017	0.2	AHS	Review e-mail from Board Member regarding opportunity for Whitmer to Appeal.
06/23/2017	0.2	NDP	Receive e-mails from majority of board approving firm to proceed with drafting and filing attorney fee Affidavit and Application, Statement of Costs and proposed form of Judgment as provided for in Court's Order.
06/26/2017	0.5	NDP	Draft Application for Award of Attorney fees.
06/26/2017	0.5	NDP	Draft Affidavit in Support of Application for Award of Attorney Fees.
06/26/2017	0.3	NDP	Draft Statement of Costs.
06/26/2017	0.2	NDP	Draft Notice of Lodging Proposed Form of Judgment.
06/26/2017	0.5	NDP	Draft Proposed Form of Judgment pursuant to Court's Minute Entry.

ATTORNEY	HOURS	RATE	ATTORNEY TOTAL
AUGUSTUS H. SHAW IV (AHS)	4.5	\$250.00	\$1,125.00
NICOLE D. PAYNE (NDP)	14.6	\$250.00	\$3,650.00

ATTORNEY FEES INCURRED TOTAL: \$4,775.00