

**Shaw & Lines, LLC**

4523 E. Broadway Road

Phoenix, AZ 85040

Phone (480) 456-1500

Facsimile (480) 456-1515

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Mark E. Lines - #020553

Augustus H. Shaw, IV - #021593

Patrick J. Whelan - #030994

*Counsel for Respondents*

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

**IN AND FOR THE COUNTY OF MARICOPA**

R.L. WHITMER,

Petitioner,

v.

HILTON CASITAS HOMEOWNERS  
ASSOCIATION, also known as HILTON  
CASITAS COUNCIL OF  
HOMEOWNERS, also known as  
COUNCIL OF CO-OWNERS, also  
known as HILTON CASITAS COUNCIL  
OF CO-OWNERS; and MICHAEL  
BENGSON, solely in his capacity as  
President of the named Respondent, and  
not personally,

Respondents.

Case No.: CV2016-055080

**STIPULATION TO AMEND THE  
SCHEDULING ORDER**

*(Assigned to the Hon. Cynthia Bailey)*

The Parties, after consultation, hereby stipulate and move the Court to amend the scheduling order in this matter, consistent with the proposed form of order enclosed as Exhibit A. In good faith, the Parties have agreed to extend the deadlines as contained in the revised form of order to facilitate full and complete discovery in this case.

This extension is not sought for purpose of undue delay.

1 RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of March, 2019.

2 **R.L. WHITMER**

3 /s/ R.L. Whitmer (With Permission)  
4 6333 North Scottsdale Road, Casita 21  
5 Scottsdale, Arizona 85250  
6 *Petitioner, Pro Per*

7 **SHAW & LINES, LLC**

8 /s/ Patrick J. Whelan  
9 Augustus H. Shaw, IV  
10 Patrick J. Whelan  
11 4523 E. Broadway Road  
12 Phoenix, Arizona 85040  
*Counsel for Respondents*

13 ORIGINAL submitted for electronic filing  
14 this 7<sup>th</sup> day of March, 2019, with:

15 Clerk of the Maricopa County Superior Court  
16 Northeast Regional Center  
17 18380 North 40<sup>th</sup> Street, Courtroom 108  
18 Phoenix, Arizona 85032

19 By: /s/ Elizabeth Mundall  
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# **EXHIBIT A**

1 **Shaw & Lines, LLC**

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3 Phoenix, AZ 85040

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7 Augustus H. Shaw, IV - #021593

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9 *Counsel for Respondents*

10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

11 **IN AND FOR THE COUNTY OF MARICOPA**

12 R.L. WHITMER,

13 Petitioner,

14 v.

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

25 Respondents.

Case No.: CV2016-055080

**REVISED SCHEDULING ORDER**

*(Assigned to the Hon. Cynthia Bailey)*

26 Upon consideration of the Parties' concurrently-filed Stipulation to amend the  
27 scheduling order in this matter, the Court orders as follows:

- 28 1. The Parties shall file a joint pretrial statement with the Court no later than  
**April 26, 2019.**
2. The Parties shall deliver any exhibits along with a description of each exhibit  
to the division's clerk for marking no later than **April 30, 2019.**
3. The Parties request that the Court set this matter for an Evidentiary Hearing on  
**May 3, 2019 at 1:30 p.m. (time allotted: 3 hours).**

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DATED: March \_\_\_\_\_, 2019

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Honorable Cynthia Bailey  
Maricopa County Superior Court