

MICHAEL K. JEANES, CLERK  
BY DEP

*K. Norton*  
K. NORTON, FILED

2017 NOV -6 AM 9: 34

William M. Brown  
6751 E. Amber Sun Drive  
Scottsdale, AZ 85266  
(480) 595-9131

Plaintiff on his own behalf

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

William M. Brown, an individual,

Case No. CV2017-055475

Plaintiff,

Plaintiff's Motion for Extension  
of Time to File Response(s) to  
Defendants' Motions to Dismiss  
and Request for Expedited  
Consideration

(Assigned to the Hon. John R.  
Hannah, Jr.)

vs.

Terravita Country Club, Inc., an Arizona  
non-profit corporation; Sterling J. Laaveg,  
President TCC, Inc., and his spouse; Paul  
David Tolk, Vice-President TCC, Inc., and  
his spouse; William H. Greig, Secretary  
TCC, Inc., and his spouse; Michael T.  
Ellington, Treasurer TCC, Inc., and his  
spouse; John Does I-X and Jane Does I-X  
and their spouses; Carpenter, Hazlewood,  
Delgado & Bolen, PLC; Joshua M. Bolen  
024053 and Anjali J. Patel 028138,

Defendants.

Plaintiff requests an extension of time within which to file his response(s) to Defendants' Motion to Dismiss Board of Director Defendants Laaveg, Tolk, Greig and Ellington, filed October 13, 2017, and Motion to Dismiss Defendants Bolen, Patel and Carpenter, Hazlewood, Delgado & Bolen, LLP, filed October 16, 2017.

On October 23, 2017, Defendants agreed to extend the time for filing Plaintiff's response(s) to Defendants' two motions to dismiss.

On October 27, 2017, following the time set for Status Conference and the Court's Order re plaintiff filing its supplemental application, defendants' response and plaintiff's reply, the computation of time for these pleadings extends beyond the time, November 13, 2017, stipulated for Plaintiff to file his response(s) to the motions to dismiss by nineteen (19) days, December 1, 2017.

On November 6, 2017 via electronic mail, Plaintiff requested Defendants agree to extend the time to file his response(s) to the motions to dismiss to and including ten (10) business days following any post-pleadings (supplement application/response/reply) issues (orders) the Court may take up. Exhibit A

On November 6, 2017, Defendants refused ("...we cannot agree to a second extension without just cause.") to extend additional time for Plaintiff to file his response(s). Exhibit B

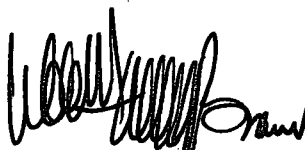
Plaintiff, trusting the supplemental application pleadings might be dispositive of the issue before the Court, requested the additional time by a further stipulation with the Defendants in the belief that any pleadings in advance of any disposition of the supplemental application, response and reply would ill-serve the parties, would be unworthy of the Court's time and judicial resources and would simply increase the cost of litigation in this matter.

Pursuant to Arizona Rules of Civil Procedure, Rule 6(b)(1)(A), Plaintiff requests the Court extend the time for Plaintiff to respond to Defendants' two motions to dismiss to and including ten (10) business days following any disposition of the supplemental application, response and reply pleadings.

There can be no prejudice to the Defendants by extending Plaintiff's time to respond.

Respectfully submitted this 6th day of November 2017.

William M. Brown  
6751 East Amber Sun Drive  
Scottsdale, Arizona 85266-7029



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William M. Brown  
Plaintiff, Pro Se

Certificate of Service

Original filed this 6th day of November 2017 with:

Clerk, Superior Court  
Maricopa County Superior Court  
18380 N. 40th Street  
Phoenix, Arizona 85032

Copy delivered this 6th day of November 2017 to:

Hon. John R. Hannah, Jr.  
Maricopa County Superior Court  
Northeast Court-G  
18380 N. 40th Street, Courtroom 108  
Phoenix, Arizona 85032-1484

Copy by facsimile (480) 991-7040 this 6th day of November 2017 to:

Joshua M. Bolen  
Carpenter, Hazlewood, Delgado & Bolen, PLC  
1400 E. Southern Avenue, Suite 400  
Tempe, Arizona 85282



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William M. Brown  
Plaintiff, Pro Se

Exhibit A

**william brown**

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**From:** "william brown" <wmbs-pp@msn.com>  
**To:** <josh@carpenterhazlewood.com>  
**Cc:** <theresa.laubenthal@carpenterhazlewood.com>  
**Sent:** Monday, November 06, 2017 5:39 AM  
**Subject:** CV2017-055475...Stipulation

Counsel:

Trust you will agree that the parties would be well-served by an additional stipulation respecting Plaintiff's response date to Defendants' two motions to dismiss given Judge Hannah's Order (10/27/2017) re the supplemental application, response and reply pleadings' timeline, NLT December 1, 2017, pleadings that may be dispositive of the issue before the Court.

Will the Defendants stipulate to extending the time for Plaintiff to file a response to the Motion to Dismiss Board of Director Defendants Laaveg, Tolk, Greig and Ellington and Motion to Dismiss Defendants Bolen, et al. to and including ten (10) business days following any post-pleadings (supplemental application...) issues/orders the Court may take up/make?

Your timely response is appreciated in advance.

s/William M. Brown

11/6/2017

**Exhibit B**

**william brown**

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**From:** "Josh Bolen" <josh.bolen@carpenterhazlewood.com>  
**To:** "william brown" <wmbs-pp@msn.com>  
**Cc:** "Theresa Laubenthal" <Theresa.Laubenthal@carpenterhazlewood.com>; "Allison Preston" <Allison.Preston@carpenterhazlewood.com>  
**Sent:** Monday, November 06, 2017 8:13 AM  
**Subject:** Re: CV2017-055475...Stipulation

Mr. Brown,

At this point, we cannot agree to a second extension without just cause. The motions to dismiss are separate issues from the records request. We need to keep this matter moving forward.

Sincerely,



This email was sent from my phone, I apologize for any typos.

**Josh Bolen, Esq.**

Direct Line: 480-427-2862

[josh.bolen@carpenterhazlewood.com](mailto:josh.bolen@carpenterhazlewood.com)

**CARPENTER, HAZLEWOOD, DELGADO & BOLEN, PLC**

Phoenix, 480-427-2800, 1400 East Southern Ave, Suite 400, Tempe, Arizona 85282

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On Nov 6, 2017, at 5:39 AM, william brown <[wmbbs-pp@msn.com](mailto:wmbbs-pp@msn.com)> wrote:

Counsel:

Trust you will agree that the parties would be well-served by an additional stipulation respecting Plaintiff's response date to Defendants' two motions to dismiss given Judge Hannah's Order (10/27/2017) re the supplemental application, response and reply pleadings' timeline, NLT December 1, 2017, pleadings that may be dispositive of the issue before the Court.

Will the Defendants stipulate to extending the time for Plaintiff to file a response to the Motion to Dismiss Board of Director Defendants Laaveg, Tolk, Greig and Ellington and Motion to Dismiss Defendants Bolen, et al. to and including ten (10) business days following any post-pleadings (supplemental application...) issues/orders the Court may take up/make?

Your timely response is appreciated in advance.

s/William M. Brown