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NANCY KNIGHT
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Plaintiff Pro Per

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MOHAVE

NANCY KNIGHT,
Plaintiff,

vs.

GLEN LUDWIG AND PEARL LUDWIG,
TRUSTEES OF THE LUDWIG FAMILY
TRUST; FAIRWAY CONSTRUCTORS, INC.;
MEHDI AZARMI; JAMES B. ROBERTS
AND DONNA M. ROBERTS, HUSBAND
AND WIFE; JOHN DOES 1-10; JANE DOES
1-10; ABC CORPORATIONS 1-10; AND XYZ
PARTNERSHIPS 1-10.
Defendants.

CASE NO.: CV 2018-04003

**REPLY TO DEFENDANTS' MAR. 11
RESPONSE TO PLAINTIFF'S FEB. 28
MOTION FOR CLARIFICATION OF
PROCEDURE**

(Assigned to Hon. Judge Jantzen)

COMES NOW Nancy Knight, Plaintiff Pro Per, Replying to Defendants'

Response that may have created confusion on the Court. Defendant's are correct that they should not have responded to the Plaintiff's subject Motion.

The Court, on February 25, in Response to the "Plaintiff's February 24 Motion to Compel the Defendants to Amend their January 13, 2020 Reply, ruled that the "Plaintiff can argue her position at the Oral Argument". Plaintiff has submitted a preponderance of evidence for her position; however, the Defendants' took the position that their Summary

Judgment should be ruled in their favor since they claimed she did not follow procedure
REPLY TO RESPONSE ON CLARIFICATION BY THE COURT - 1

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2020 MAR 13 PM 2:08
VIRLYNN TINNELL
SUPERIOR COURT CLERK



1 in her Response to the two subject documents submitted by the Defendants. Defendants
2 did not specify what part of Rule 56(c)(3) that she did not follow. That is the issue before
3 the Court.
4

5 The Motion for Clarification is for the Court to inform Plaintiff on what she did
6 not follow such that she can timely correct any errors or omissions before the Oral
7 Argument hearing that is pending on March 30, 2020.
8

9 Plaintiff followed Rule 56(c)(3) "Procedure for Superior Court" that only says
10 "Opposing Party must file its response and any supporting materials within 30 days after
11 the motion is served." (Emphasis supplied)
12

13 Supporting material is not specified.

14 And it says "An opposing party must file a statement in the form prescribed by
15 Rule 56(c)(3)(A)..." that being "a statement separate from the supporting memorandum",
16 and "specifying": (i) the numbered paragraphs in the moving party's statement that are
17 disputed; and (ii) those facts that establish a genuine dispute or otherwise preclude
18 summary judgment in favor of the moving party."
19

20 Since the "supporting material" was not specified, Plaintiff found Rule 56(c)(3) in
21 the Judicial Court Rules and found it did "specify" what Plaintiff believed to be
22 "supporting material" in the eyes of the Court. That being explicitly stated as "exhibits".
23

24 Given the risk of Dismissal of Plaintiff's case, based on the Defendant's claim that
25 Plaintiff did not follow procedure, and being that the Defendant's did not specify what
26
27
28

1 she did not follow, Plaintiff seeks Clarification from the Court and Leave to amend for
2 errors or omissions before the Oral Argument hearing. (Emphasis Supplied)

3
4 RESPECTFULLY SUBMITTED this 13th day of March, 2020.

5 
6 _____
7 NANCY KNIGHT
8 Plaintiff Pro Per

9
10 COPY of the foregoing emailed on this 13th day of March, 2020 to:

11 djolaw@frontiernet.net

12 Attorney for Defendants

13 Daniel J. Oehler, Esq.

14 Law Offices of Daniel J. Oehler

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