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BY: Dy

2020 APR 10 PM 2:53

ANDREW J. SNELL
CLERK OF SUPERIOR COURT

1 Nancy Knight
2 1803 E. Lipan Cir.
3 Fort Mohave, AZ 86426
4 Telephone: (951) 837-1617
5 nancyknight@frontier.com

6 Plaintiff Pro Per

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

9 NANCY KNIGHT

10 Plaintiff,

11 and

12 GLEN LUDWIG and PEARL LUDWIG,
13 Trustees of THE LUDWIG FAMILY TRUST;
14 FAIRWAY CONSTRUCTORS, INC.;
15 MEHDI AZARMI; JAMES B. ROBERTS and
16 DONNA M. ROBERTS, husband and wife;
17 JOHN DOES 1-10; JANE DOES 1-10; ABC
18 CORPORATIONS 1-10; and XYZ
19 PARTNERSHIPS 1-10.

20 Defendants.

Case No.: **CV 2018 04003**

**MOTION FOR RECONSIDERATION
FOR CORRECTIONS TO COURT
ORDER/NOTICE/RULING
AND MINUTES.**

Honorable Judge Jantzen

21 Comes now, Plaintiff Pro Per, Nancy Knight, pursuant to Rule 60(a) Corrections
22 Based on Clerical Mistakes; Oversights and Omissions, A court must correct a clerical
23 mistake or a mistake arising from oversight or omission if one is found in a judgment,
24 order, or other part of the record. The court may do so on motion or on its own, with
25 notice.

26 Plaintiff filed two separate Motions for Corrections to two Court documents that
27 were judged as confusing. One was for Corrections to the October 16, 2019 Status
28

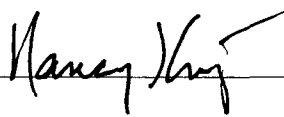


1 Conference minutes and the other was for Corrections to the October 30, 2019
2 Court/Order/Ruling.

3
4 Plaintiff has reviewed this Court's first Status Conference Minutes for the hearing
5 that was held on August 23, 2019 and found two errors on that document as well. The
6 correct filing date for Plaintiff's Motion For Leave to Amend Complaint was filed on
7 June 19, 2019. It was erroneously typed as being filed on July 2, 2019. The document
8 also incorrectly cites Judge Carlisle for a hearing on Oral Arguments (Judge Gordon
9 would have been correct). Both are moot points to the Plaintiff at this time unless the
10 Court wants the August 23, 2019 record to be correct as well.
11
12

13 This Motion will provide the Court with the requested Corrections to be
14 considered for October 16, 2019 and October 30, 2019 as an Exhibit. The Motion and
15 Exhibit will be filed with the Court and emailed to Mr. Oehler. The Exhibit will be
16 emailed to Danielle Lecher, Assistant to the Hon. Judge Jantzen, as a Word document
17 with a page break between the two documents that can be utilized to copy and paste into
18 the proper format for Court records. Note: The Plaintiff's address was corrected in bold
19 on the Oct. 16, 2019 document.
20
21

22 **RESPECTFULLY SUBMITTED this 10th day of April, 2020**

23
24 
25 _____
26 Nancy Knight
27 Plaintiff Pro Per
28

1 Copy of the foregoing emailed on April 10, 2020 to:
2 djolaw@frontiernet.net
3 Attorney for the Defendants

4 The Law Office of Daniel Oehler
5 2001 Highway 95, Suite 15,
6 Bullhead City, Arizona 86442

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Plaintiff respectfully requests the court's judicial assistant to make the necessary fixes to the margins, font style and size for the official document format. Normally emboldened text has been removed to set the corrections in bold apart for ease of proofreading and approvals by the Court.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MOHAVE

HONORABLE LEE F. JANTZEN
DIVISION: IV COURTROOM: D
DIGITALLY RECORDED

VIRLYNN TINNELL, CLERK OF THE COURT
BY: R. GLOVER, DEPUTY CLERK
HEARING DATE: OCTOBER 16, 2019

In re the Matter of:

NANCY KNIGHT,
Plaintiff,
vs

CASE NO: CV-2018-04003

STATUS CONFERENCE

GLEN LUDWIG, et al., et ux.,
Defendants.

START: 10:13 A.M.
(CORRECTION IN BOLD)

TELEPHONIC APPEARANCES: Nancy Knight, **Plaintiff**; Daniel Oehler, Attorney for the Defendants.

This is the time set for a Status Conference in this matter.

The parties provide updates regarding this case. Discussion ensues regarding the two (2) pending motions filed by Ms. Knight in this matter.

The Court advises the parties that a deadline to review both motions will be October 30, 2019, and a formal judgment will be mailed to the parties.

Discussion ensues regarding the pending Motion for Leave to Amend the Complaint filed on **June 19, 2019**; the Court advises Ms. Knight that a judgment will be mailed to the parties by October 22, 2019 **for the Motion for Reconsideration of Dismissal of Count One that was filed on August 27, 2019.**

Discussion ensues regarding a Summary Judgment Motion applying to all issues filed, to be filed by Mr. Oehler by the week of October 28, 2019.

The Court advises Ms. Knight regarding allowing Mr. Oehler time to respond to Mr. Knight's motions if they are not denied.

Discussion ensues regarding supplemental evidence to be filed by Ms. Knight **by Friday.**

The Court advises Ms. Knight that Mr. Oehler has lost the call while travelling at 10:24 a.m.; advises Ms. Knight to provide copies of the evidence to Mr. Oehler and the Court.

The Court recesses at 10:25 a.m.

cc:

NANCY KNIGHT
1803 E. Lipan **Circle**
Fort Mohave, AZ 86426
Plaintiff

HONORABLE LEE F. JANTZEN
Division IV

DANIEL OEHLER*
Attorney for the Defendant(s)

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MOHAVE

HONORABLE LEE F. JANTZEN

DIVISION 4

DATE: OCTOBER 30, 2019

*DL

COURT ORDER/NOTICE/RULING

NANCY KNIGHT,
Plaintiff,

vs. **CV-2018-04003**

GLEN LUDWIG, et al., et ux.,
Defendants.

(CORRECTION IN BOLD)

This matter comes before the Court on Plaintiff's Motion for Leave to Amend the Complaint filed on **June 19, 2019**. The Court has reviewed the motion, the Defendants' response in objection to the motion and the Plaintiff's reply to the objections.

The Court has also had to do a complete review of this file. As the parties know prior to being assigned to this Court, this file belonged to **two other judges, Judge Carlisle and Judge Gordon**, in the Superior Court who had made multiple rulings. **The Plaintiff's June 19, 2019 Motion for Leave to Amend the Complaint for her limited Tract 4076B rights, as ruled by Judge Carlisle, has been under advisement. The Plaintiff filed a Motion for Reconsideration of a Declaratory Judgment on Signage**" on September 27, 2019. **The Plaintiff filed a Motion for Reconsideration of Dismissal of Count One** on August 27, 2019 **and subsequent to a Status Conference discussion on October 16 regarding additional evidence, she complied with the Court's request and filed an 11-page Amended Motion for Reconsideration of Count One** on October 18, 2019 **with five (5) exhibits comprised of 54 pages.**

The Court finds these pleadings are all intertwined, and the Court could not proceed with ruling on the original Motion for Leave to Amend the Complaint filed **June 19, 2019** until reviewing all of the documents. The Court has reviewed those pleadings. The Court has reviewed all of the prior rulings in this matter. The Court has also reviewed the applicable case law, rules, statutes and argument of **opposing** counsel. Defense argues in the objection to the motion for leave to amend that it is simply an attempt to have the Court reconsider the Court's previous rulings. This Court **disagrees as the Motion For Leave To Amend the Complaint for Tract 4076B is an adjudicated right granted by Judge Carlisle. However, this Motion included an additional subdivision in the Complaint that was inappropriate. The Motion for Reconsideration of the Declaratory Judgment on Signage and Motion**

for Reconsideration of Dismissal of Count One for Tract 4076A is agreed as simply an attempt for the Court to reconsider prior Court rulings that have already been denied.

IT IS ORDERED denying Plaintiff's Motion for Leave to Amend the Complaint

The Court specifically finds the previous rulings in this case to be appropriate and on point with regard to the ability of the Plaintiff to enforce the CC&Rs. Plaintiff has the right under the terms of the CC&Rs to sue the homeowners in Tract 4076B and nothing more. The Plaintiff has the right to move forward with the lawsuit as it affects Tract 4076B. Nothing in the new pleadings changes the Court's opinion on the previous rulings.

The Court declines to order attorney's fees at this time.

Furthermore, based on the same logic above and considering all of the new arguments and allegations in Plaintiff's pleadings,

IT IS ORDERED denying Plaintiff's Motion for Reconsideration of Dismissal of Count One filed on August 27, 2019 and Plaintiff's Amended Motion for Reconsideration of Count One filed on October 18, 2019.

IT IS FURTHER ORDERED denying Plaintiff's Motion for Reconsideration of Declaratory Judgment on Signage filed September 27, 2019. Nothing in Plaintiff's motion changes the logic of the original finding by Judge Gordon on June 13, 2019. These are a question of law and fact and should not and will not be ruled on in a Declaratory Judgment.

This case needs to move forward.

IT IS ORDERED setting this matter for Status Conference to discuss scheduling a trial on Wednesday, December 4, 2019 at 3:30 p.m. Parties may appear by phone by calling (928) 753-0785 at the time of the hearing.

cc:

Nancy Knight*
Plaintiff

Daniel J Oehler*
Attorney for Defendants

Honorable Lee F Jantzen
Division 4