

**IN THE SUPERIOR COURT
MOHAVE COUNTY, STATE OF ARIZONA**

**HONORABLE LEE F. JANTZEN
DIVISION: IV COURTROOM: D
COURT REPORTER: KIM FAEHN**

**VIRLYNN TINNELL, CLERK OF SUPERIOR COURT
BY: AMANDA NYE, DEPUTY CLERK
HEARING DATE: 05/11/2020**

<p>NANCY KNIGHT,</p> <p style="text-align: right;">Plaintiff,</p> <p>vs.</p> <p>GLEN LUDWIG AND PEARLE LUDWIG, TRUSTEES OF THE LUDWIG FAMILY TRUST; FAIRWAY CONSTRUCTORS, INC.;</p> <p>MEHDI AZARMI.</p> <p style="text-align: right;">Defendant(s).</p>		<p>CASE NO: CV-2018-04003</p> <p>HEARING ON ORAL ARGUMENT</p> <p>START: 1:31 P.M.</p>
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APPEARANCES: Nancy Knight, Plaintiff, in Pro Per; Daniel J. Oehler, Attorney for the Defendant(s); Mehdi Azarmi, Defendant.

This is the time set for a Hearing on the Oral Argument for two Pending Summary Judgment Motions, the first is a Partial Motion for Summary Judgment from the Plaintiff on the issue of signage, and the second is a Dispositive Motion for Summary Judgment from the Defendants’ as to all other issues for these matters.

The Court advises as to the procedural rules for today’s proceedings and time allotted to each party; the Court reviews the file and any pending Motions.

IT IS ORDERED denying both Motions to Dismiss Defendant’s Motion for Summary Judgment for failure to join indispensable parties.

The Court explains the above order to the parties.

Mr. Oehler begins to present oral arguments to this Court.

Discussions ensue as to the Plaintiff’s Motion being Partial and the Defendant’s Motion being Dispositive; the Court agrees the Plaintiff’s Motion is a Partial Motion for Summary Judgment as to a signage issue and the Defendants’ Motion is a Dispositive Motion for Summary Judgment as to all other issues.

Mr. Oehler continues to present oral arguments to this Court and rests.

A discussion ensues as to abandoning the argument of abandonment and the CCNR’s.

Mr. Oehler continues to present oral arguments.

A discussion ensues as to the waiver clause.

Mr. Oehler continues to present oral arguments.

The Court advises Mr. Oehler of his allotted time left; Mr. Oehler continues to give oral arguments to this Court and reserves the rest of his time for closing.

The Court advises Ms. Knight of her time allotted and allows her to present her arguments.

Ms. Knight begins to present oral arguments to this Court.

Discussion ensues as to re-litigation and for the record.

Ms. Knight continues to give oral arguments to this Court.

Discussion ensues as to the time left allotted to each party and the Court taking a break.

The Court recesses at 3:13 p.m.

The Court reconvenes at 3:24 p.m. all parties heretofore are present.

Ms. Knight continues to present oral arguments to this Court.

Discussion ensues as to the Motions dismissed at the start of today's proceedings.

Ms. Knight continues to present oral arguments to this Court.

The Court advises how much time is left for each party.

Mr. Oehler presents closing statements to this Court.

The Court ascertains if Mr. Oehler's statements are a Jury question from college book. Mr. Oehler advises its under Rule 56 and continues to give his closing statements to this Court.

Discussion ensues as to who would have been the one to enforce the CCNR's in 1989 and 1993.

Mr. Oehler continues to give his closing statements to this Court.

A discussion ensues as to the escrow companies providing CCNR's to the home buyers.

Mr. Oehler continues to give his closing statements to this Court.

The Court advises Mr. Oehler of his time left for today's proceedings; Mr. Oehler continues to give his closing statements to this Court.

The Court advises Mr. Oehler his time allotted for today's proceedings is over; Mr. Oehler continues to give his closing statements and rests.

Ms. Knight presents her closing statements to this Court, requests for this Court to grant her Motion and deny the Defendant's Motion; Ms. Knight rests.

Discussion ensues as to a rough draft of Ms. Knight's script be provided to the Court Reporter.

The Court gives clarifications and concerns to the parties on the record and advises it will take these matters under advisement.

IT IS ORDERED taking under advisement both pending Motions for Summary Judgment.

The Court recesses at 4:39 p.m.

cc:

NANCY KNIGHT *
(nancyknight@frontier.com)
Plaintiff, in Pro Per

DANIEL J. OEHLER *
Attorney for the Defendant

HONORABLE LEE F. JANTZEN *
Division IV