

1 LAW OFFICES  
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6 (928) 763-3227 (fax)  
7 [djolaw10@gmail.com](mailto:djolaw10@gmail.com)  
8 Daniel J. Oehler, Arizona State Bar No.: 002739  
9 Attorney for Defendants

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

8 NANCY KNIGHT,  
9 Plaintiff,  
10 vs.

NO.: CV-2018-04003

MOTION FOR  
CLARIFICATION RE:  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT

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

17 COME NOW, the Defendants and respectfully request the Court to further clarify its  
18 Order scheduling oral argument on Plaintiff's "Motion for Summary Judgment filed February  
19 27, 2023."

20 Defendants for the purpose of this clarification request assume that the subject motion  
21 referenced by this Court is the Motion for Summary Judgment that Plaintiff filed in this  
22 matter on February 2, 2023? The Court is requested to take notice that no response to that  
23 Motion has been filed to date awaiting the Court's consideration of Defendants' Motion to  
24 Strike filed February 23, 2023 (a fully conformed copy of the "strike" motion is attached  
25 hereto as **Exhibit A**). If granted, the Motion to Strike will eliminate the need for oral  
26 arguments on Plaintiff's Motion; if not granted, then and in that event, a full response will  
27 be prepared.

28 This is a procedural issue at this point in time versus a factual issue.

1 It is also worthy of note that the Plaintiff has also filed with this Court a Response to  
2 Defendants' request of an order to strike which effectively is a request that the original  
3 Plaintiff's Motion be withdrawn. The matter, on this issue, is moot.

4 On March 6, 2023, the Plaintiff filed a Response to Defendant's Motion to Strike  
5 Plaintiff's Motion for Summary Judgment (**Exhibit B** attached hereto) wherein on p. 2, lines  
6 9-12, the Plaintiff states:

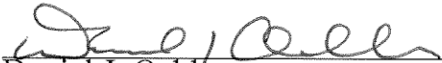
7 "Plaintiff pleads for this Court to Strike Plaintiff's  
8 Motion for Summary Judgment for judicial economy as opposed  
9 to having the Plaintiff file a Motion for Leave to Amend the  
10 MSJ for correcting her defects in not following the requirements  
11 of Rule 56." 03/06/2023 Response to Motion to Strike, p. 2,  
12 lines 9-12.

13 The issue is moot. Defendants' Motion to Strike should be granted without argument.

14 Understanding that this case has within its filing almost 300 individual motions and  
15 other filings regarding various motions, and further considering the recent reassignment of  
16 the case to this Court that it is reasonably possible that the Court missed the Defendants'  
17 Motion to Strike and Plaintiff's Response thereto.

18 RESPECTFULLY SUBMITTED this 6~~th~~ day of July, 2023.

19 LAW OFFICES OF DANIEL J. OEHLER

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21 Daniel J. Oehler,  
22 Attorney for Defendants

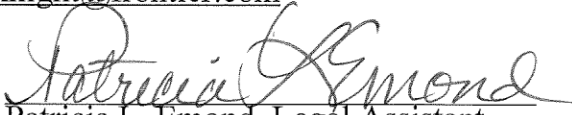
1 **COPY** of the foregoing emailed  
2 this 6<sup>th</sup> day of July, 2023, to:

3 Honorable Dale P. Nielson  
4 Navajo County Superior Court  
5 Post Office Box 668  
6 Holbrook, Arizona 86025  
7 (928) 524-4220  
8 Katelin Lerma, Judicial Assistant  
9 [kalerma@courts.az.gov](mailto:kalerma@courts.az.gov)

10 Plaintiff

11 Nancy Knight  
12 1803 E. Lipan Circle  
13 Fort Mohave, Arizona 86426  
14 (928) 768-1537  
15 [nancyknight@frontier.com](mailto:nancyknight@frontier.com)

16 By:

17   
18 Patricia L. Emond, Legal Assistant

**Knigh t v. Ludwig, et al.**  
**Mohave County Superior Court**  
**Docket No. CV-2018-04003**

**Motion for Clarification Re: Plaintiff's**  
**Motion for Summary Judgment**

**EXHIBIT A**

1 LAW OFFICES  
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7 [djolaw10@gmail.com](mailto:djolaw10@gmail.com)  
8 Daniel J. Oehler, Arizona State Bar No.: 002739  
9 Attorney for Defendants

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

8 NANCY KNIGHT,	)	NO.: CV-2018-04003
9 Plaintiff,	)	<b>MOTION TO STRIKE</b>
10 vs.	)	<b>PLAINTIFF'S MOTION FOR</b>
11 GLEN LUDWIG and PEARL LUDWIG, Trustees	)	<b>SUMMARY JUDGMENT</b>
12 of THE LUDWIG FAMILY TRUST; FAIRWAY	)	
13 CONSTRUCTORS, INC.; MEHDI AZARMI;	)	
14 JAMES B. ROBERTS and DONNA M.	)	
15 ROBERTS, husband and wife; JOHN DOES 1-10;	)	
16 JANE DOES 1-10; ABC CORPORATIONS 1-10;	)	
17 and XYZ PARTNERSHIPS 1-10,	)	
18 Defendants.	)	

17 Pursuant to Rule 7.1, Ariz. R. Civ. Proc., Defendants LUDWIG FAMILY TRUST,  
18 FAIRWAY CONSTRUCTORS, INC., and MEHDI AZARMI (hereinafter the "LFA  
19 Defendants"), by and through their attorney, the undersigned, hereby requests this Court  
20 strike the entirety of the Plaintiff's Motion for Summary Judgment filed by Plaintiff on or  
21 about February 2, 2023.

22 Plaintiff's current pleading titled "Plaintiff's Motion for Summary Judgment" fails to  
23 comply with the minimum mandated requirements for a motion for summary judgment which  
24 are set forth in Rule 56 Ariz. R. Civ. Proc. (hereinafter referred to simply as "Rule 56").

25 For the purpose of this Motion exclusively if one were to concede that Plaintiff's  
26 February 2, 2023, pleading minimally qualifies as a "supporting memorandum" which is  
27 required by Rule 56(c)(3)(A), Plaintiff has failed to file the mandatory balance of the  
28 required documentation to allow Plaintiff's filing to move forward in any manner before the



1 COPY of the foregoing emailed  
this 23<sup>rd</sup> day of February, 2023, to:

2  
3 Honorable Lee F. Jantzen  
Mohave County Superior Court  
4 Division 4  
401 E. Spring Street  
Kingman, Arizona 86401  
5 (928) 753-0785 Danielle  
[dlecher@courts.az.gov](mailto:dlecher@courts.az.gov)

6  
7 Plaintiff  
Nancy Knight  
1803 E. Lipan Circle  
8 Fort Mohave, Arizona 86426  
(928) 768-1537  
9 [nancyknight@frontier.com](mailto:nancyknight@frontier.com)

10 By:   
11 Daniel J. Oehler

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**Knight v. Ludwig, et al.**  
**Mohave County Superior Court**  
**Docket No. CV-2018-04003**

**Motion for Clarification Re: Plaintiff's**  
**Motion for Summary Judgment**

**EXHIBIT B**



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

FILED 2023 MAR 6 AM 8:39 BY

AM

Christina Spurlock SupCrtClerk

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 Trustee of THE LUDWIG  
13 FAMILY TRUST; FAIRWAY  
14 CONSTRUCTORS, INC.; MEHDI AZARMI;  
15 JOHN DOES 1-10; JANE DOES 1-10; ABC  
16 CORPORATIONS 1-10; and XYZ  
17 PARTNERSHIPS 1-10.

18 Defendants.

Case No.: CV 2018-04003

**PLAINTIFF'S RESPONSE TO  
DEFENDANT'S MOTION TO STRIKE  
PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT DATED FEBRUARY 2, 2023**

Under Reassignment From Judge Jantzen  
By Hon. Judge Lambert

19 Plaintiff Pro Per Nancy Knight ("Plaintiff") filed the Motion for Summary  
20 Judgment ("MSJ") on February 2, 2023 as an urgency pending a Status Conference  
21 scheduled for February 17, 2023.  
22

23 On February 27, 2023, the Defendants sent Plaintiff a copy of their Motion to  
24 Strike the entirety of Plaintiff's Motion for Summary Judgment for failure to follow the  
25 requirements of Rule 56.  
26

27 Given that the urgency has passed, and in the interest of judicial economy,  
28 Plaintiff respectfully Responds that she agrees with the Striking of the Plaintiff's MSJ in



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1 its entirety as opposed to Plaintiff having to file for Leave to Amend the MSJ to cure the  
2 defects in Rule 56.


3  
4 Plaintiff believes the issue of the Defendant's not following Rule 12 for stating a  
5 claim of "complete abandonment" is being resolved in Plaintiff's Motion to Strike  
6 Defendant's MSJ that she filed on March 1, 2023.

7  
8 **CONCLUSION**

9 Plaintiff pleads for this Court to Strike Plaintiff's Motion for Summary Judgment  
10 for judicial economy as opposed to having the Plaintiff file a Motion for Leave to Amend  
11 the MSJ for correcting her defects in not following the requirements of Rule 56.

12  
13 Plaintiff pleads for this Court to deny Defendant's attorney fees and costs in  
14 preparing their Motion to Strike Plaintiff's MSJ in its entirety.

15 **RESPECTFULLY SUBMITTED** this 6th day of March, 2023

16  
17   
18 \_\_\_\_\_  
Nancy Knight  
19 Plaintiff Pro Per

20 Copy of the foregoing was emailed on March 6, 2023 to:  
21 Daniel Oehler, Attorney for the Defendants  
22 djolaw10@gmail.com  
23  
24  
25  
26  
27  
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