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**FILED**  
TIME 4:15 PM  
AUG 15 2023  
CHRISTINA SPURLOCK  
CLERK SUPERIOR COURT  
BY: 13 DEPUTY

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

**MOTION FOR APPROVAL OR  
REVISION BY THE COURT FOR FINAL  
ORDER ON THE SERVICE PACKET  
INSTRUCTIONS, NOTICE TO  
PROPERTY OWNERS, WAIVER OF  
SERVICE FORM AND SUMMONSES**

Hon. Judge Nielson

19  
20 Comes Now, Plaintiff Pro Per Nancy Knight, submitting to the Court her updated  
21 Final Order, Notice to Property Owners that the Court requested during Oral Arguments  
22 on July 27, 2023, a modified Waiver of Service Form, and a modified Summons for  
23 Knight's mailing of the Service Packet to be approved or revised by the Court.

24  
25 A Stipulation between Plaintiff and opposing counsel was unable to be acquired  
26 pursuant to differences on interpretation of the language of law and rules of civil  
27 procedure.  
28



1 MEMORANDUM OF POINTS AND AUTHORITES

2 At this point in time, the Final Order signed on Feb. 17, 2023 is obsolete due to  
3 the omission of a "Notice to Property Owners" and for Mr. Oehler's request that the  
4 Answer from Defendants be included in the Service Packet.  
5

6 Plaintiff believes 7 pages of the Answer is sufficient for the Indispensable Parties  
7 with the omission of the 5 pages of Verifications and Notary signatures from Ludwig and  
8 Azarmi.  
9

10 Plaintiff requests that the Court consider and revise if needed the Final Order, the  
11 Notice to Property Owners, the modified Waiver of Service and Summons Forms  
12 included with this Motion. The packet for consideration was mailed to the Clerk of  
13 Mohave County Superior Court, PO Box 7000, Kingman, Arizona 86402 and emailed to  
14 the Court's judicial assistant, Katelin Lerma.  
15  
16

17 Because this matter is going to trial by jury for abandonment of the Declaration or  
18 abandonment of particular sections of the Deed Restrictions, Plaintiff is the Defendant for  
19 the Summons as are all of the Indispensable Parties until they choose otherwise after  
20 receiving their Service Packet. The burden of proof of complete abandonment of the  
21 Declaration or abandonment of a section of Deed Restrictions is on the movant (Plaintiffs  
22 Ludwig and Azarmi).  
23  
24

25 Plaintiff Knight for the Complaint is not suing over 300 property owners who she  
26 is expected to serve the Service Packet, therefore her name should not be listed on the  
27 Summons and Waiver of Service Forms as the Plaintiff on the abandonment issue  
28 claimed by the Complaint's Defendants. For this reason, the Summons and Waiver Forms

1 are requested to be approved by this Court in Standard Format with the name of the  
2 Plaintiffs as Ludwig et. al. and the Defendants as Knight and the Indispensable Parties.

3  
4 Knight requests that only the Waiver of Service Form be included as opposed to  
5 both the Waiver of Service and Acceptance of Service so as not to confuse the  
6 Indispensable Parties who may wish to join as Plaintiffs or Defendants pro se and for the  
7 clear language of the law on costs to be borne for failure to return the signed Waiver.  
8

9 Knight seeks to avoid being placed in any further harm by disgruntled  
10 Indispensable Parties who will receive the Service Packet and be led to think Knight is  
11 suing them. They are being sued by Ludwig et. al. who seek to take Knight's and the  
12 Indispensable Parties' property rights with a claim of abandonment of the intent of the  
13 value and nature of the Declaration of CC&Rs.  
14

15 Knight denies the allegation that "Plaintiff has poisoned the pool... by improperly  
16 sending to each of the property owners in a mass mailing Plaintiff's litigation objectives".  
17 Knight did not send the mass mailing in the capacity of the Plaintiff in this case. She was  
18 acting in the capacity of President of the Recorded Resolution forming the Desert Lakes  
19 Subdivision Tract 4076 Unincorporated Association. Desert Lakes Subdivision Tract  
20 4076 is the County Subdivision Index name that differentiates this Tract from a different  
21 Desert Lakes Tract number situated on the east side of Mountain View.  
22  
23

24 Knight, as President, had cause for mailing the Ballot to Amend the Declaration  
25 and had cause for the dual need of the Physical Addresses of owners of Assessor Parcel  
26 Numbers who were intended to be mailed the Service Packet. Many addresses are  
27  
28

1 occupied by Tenants and PO Box addresses were used for Property Tax Statements that  
2 cannot be used for USPS Return Receipts.

3  
4 Knight has captured the rationale for the instructions she is to follow for the  
5 Service Packet in the Final Order submitted with this Motion.

6 **RESPECTFULLY SUBMITTED** this 12<sup>th</sup> day of August, 2023

7   
8 \_\_\_\_\_  
9 Nancy Knight, Plaintiff Pro Per

10 Copy of the foregoing was emailed this day to:  
11 djolaw10@gmail.com (Attorney Daniel Oehler, Counsel for the Defendants)  
12 kalerma@courts.az.gov (Judicial Assistant to Hon. Judge Nielson)