

1 LAW OFFICES
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8 Daniel J. Oehler, Arizona State Bar No.: 002739
9 Attorney for Defendants

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

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

NO.: CV-2018-04003

**APPLICATION FOR
ATTORNEY'S FEES
AND COSTS PURSUANT
TO ORDER DATED
AUGUST 7, 2023**

19 Defendants, by and through undersigned counsel, hereby submit their Application for
20 Attorney Fees and Costs pursuant to this Court's Order of August 7, 2023, with regard to the
21 three specific motions filed by Plaintiff:

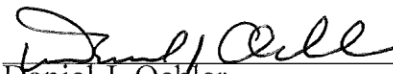
- 22 1. Plaintiff's Motion to Strike Defendants' 2019 Motion for Summary Judgment
- 23 filed March 1, 2023;
- 24 2. Plaintiff's Motion for Gag Order on Oehler and Defendants filed June 9, 2023;
- 25 and
- 26 3. Plaintiff's Motion for Oehler to State a Rule 12 Claim filed June 12, 2023.

27 Defendants request that the Court award to Defendants from Plaintiff \$6,230.25 in
28 reasonable fees plus \$90.44 costs for a total request in the amount of **\$6,320.69**. This

1 Application is supported by the attached Exhibit A - Matter History Report, the Affidavit of
2 Attorney Fees and Statement of Costs filed by Daniel J. Oehler on a date even herewith, and
3 this Court's entire verified file in this matter.

4 RESPECTFULLY SUBMITTED this 19~~th~~ day of September, 2023.


5 LAW OFFICES OF DANIEL J. OEHLER

6 
7 Daniel J. Oehler,
8 Attorney for Defendants

9 **COPY** of the foregoing emailed
10 this 19th day of September, 2023, to:

11 Honorable Dale P. Nielson
12 Navajo County Superior Court
13 Post Office Box 668
14 Holbrook, Arizona 86025
15 (928) 524-4220
16 Katelin Lerma, Judicial Assistant
17 kalerma@courts.az.gov

18 Plaintiff
19 Nancy Knight
20 1803 E. Lipan Circle
21 Fort Mohave, Arizona 86426
22 (928) 768-1537
23 nancyknight@frontier.com

24 By: 
25 Patricia L. Emond, Legal Assistant

26
27
28

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

**Application for Attorney Fees and Costs Pursuant to
August 7, 2023, Court Order In Favor of Defendants and
Against Plaintiff**

EXHIBIT A

Matter History Report

LAW OFFICES OF DANIEL J. OEHLER

Client Number: 5802 Mehdi Azarmi / Fairway Constructors, Inc.
Matter Number: 18B1 adv. Knight
Matter Type: CIVIL
Billing Mode: Hourly
Dates Included on Report: 03/01/2023 to 08/07/2023

PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' 2019 MOTION FOR SUMMARY JUDGMENT (03/01/2023)

| <u>Date</u> | <u>Description</u> | <u>Time</u> | <u>Total</u> |
|-------------|--|-------------|-----------------|
| 03/01/2023 | Notice of Filing; prepare file memo; rules review | 0.40 | 130.00 |
| 03/02/2023 | Review of Plaintiff's Motion to Strike Defendants' 14 page unsuccessful 2019 Motion for Summary Judgment; memo to client; prepare file memo | 0.50 | 162.50 |
| 03/05/2023 | Draft Motion to Strike Plaintiff's Motion to Strike (3/1/23) | 0.75 | 243.75 |
| 03/07/2023 | Final Motion to Strike; attempt to reach Plaintiff re Certificate of Good Faith | 0.50 | 162.50 |
| 03/07/2023 | Phone call with Ms. Knight; prepare file memo; final Good Faith Certificate; memo to Plaintiff re offer to withdrawal Request for Fees Sanction if Plaintiff withdraw's motion | 0.30 | 97.50 |
| 03/09/2023 | Note from Plaintiff; amend and file "Good Faith Certificate"; Review of Plaintiff's Reply to Defendants' Response re Motion to Strike; prepare file memo | 0.75 | 243.75 |
| 03/10/2023 | Pleading to client; prepare file memo | 0.20 | 65.00 |
| 03/13/2023 | Motion to Strike Plaintiff's Reply | 0.30 | 97.50 |
| 03/14/2023 | Phone call with client re status | 0.00 | No Charge |
| 03/15/2023 | Response from Plaintiff re Motion to Strike Plaintiff's Reply | 0.20 | 65.00 |
| 07/23/2023 | Begin preparation for July 27 motion day with Judge Nielson | 0.19 | 61.75 |
| 07/25/2023 | Continue preparation for Thursday hearings on outstanding motions and file organization | 0.20 | 65.00 |
| 07/26/2023 | Complete hearing preparation | 0.54 | 175.50 |
| 07/27/2023 | Attend hearing on motion; prepare file memo | 0.19 | 61.75 |
| 08/07/2023 | Review Court Notice and Orders | 0.00 | No Charge |
| | Subtotal | 5.02 | 1,631.50 |

PLAINTIFF'S MOTION FOR GAG ORDER ON OEHLER AND DEFENDANTS (06/09/2023)

| <u>Date</u> | <u>Description</u> | <u>Time</u> | <u>Total</u> |
|-------------|---|-------------|-----------------|
| 06/13/2023 | Review of Plaintiff's new motion; prepare file memo | 0.23 | 74.75 |
| 06/20/2023 | Begin research re Plaintiff's new motion | 0.80 | 260.00 |
| 06/23/2023 | Complete draft and final form with exhibits | 2.85 | 926.25 |
| 07/23/2023 | Begin preparation for July 27 motion day with Judge Nielson | 0.19 | 61.75 |
| 07/25/2023 | Continue preparation for Thursday hearings on outstanding motions and file organization | 0.20 | 65.00 |
| 07/26/2023 | Complete hearing preparation | 0.54 | 175.50 |
| 07/27/2023 | Attend hearing on motion; prepare file memo | 0.19 | 61.75 |
| 08/07/2023 | Review Court Notice and Orders | 0.00 | No Charge |
| | Subtotal | 5.00 | 1,625.00 |

Matter History Report

LAW OFFICES OF DANIEL J. OEHLER

Client Number: 5802 Mehdi Azarmi / Fairway Constructors, Inc.
Matter Number: 18B1 adv. Knight
Matter Type: CIVIL
Billing Mode: Hourly
Dates Included on Report: 03/01/2023 to 08/07/2023

PLAINTIFF'S MOTION FOR OEHLER TO STATE A RULE 12 CLAIM (06/12/2023)

| <u>Date</u> | <u>Description</u> | <u>Time</u> | <u>Total</u> |
|-------------|---|-------------|------------------|
| 06/13/2023 | Review of Plaintiff's new motion; prepare file memo | 0.23 | 74.75 |
| 06/20/2023 | Begin research re Plaintiff's new motion | 0.80 | 260.00 |
| 06/21/2023 | Work on initial draft for response to Plaintiff's extension of time and Rule 12 motions | 3.25 | 1,056.25 |
| 06/23/2023 | Complete draft and final form with exhibits | 2.85 | 926.25 |
| 07/23/2023 | Begin preparation for July 27 motion day with Judge Nielson | 0.19 | 61.75 |
| 07/25/2023 | Continue preparation for Thursday hearings on outstanding motions and file organization | 0.20 | 65.00 |
| 07/26/2023 | Complete hearing preparation | 0.54 | 175.50 |
| 07/27/2023 | Attend hearing on motion; prepare file memo | 0.19 | 61.75 |
| 08/07/2023 | Review Court Notice and Orders | <u>0.00</u> | <u>No Charge</u> |
| | Subtotal | 8.25 | 2,681.25 |

| <u>Date</u> | <u>Description</u> | <u>Time</u> | <u>Total</u> |
|-------------|---|-------------|---------------|
| 09/15/2023 | Prepare affidavit of fees, application for fees and costs, and Statement of costs; draft judgment and notice of lodging | 0.75 | 243.75 |
| 09/18/2023 | Finalize judgment | <u>0.15</u> | <u>48.75</u> |
| | Subtotal | 0.90 | 292.50 |

COSTS

| | | | |
|--------------------|--|--------------|--------------|
| <u>Filing Fees</u> | | | |
| 03/02/2023 | | 10.61 | |
| 03/08/2023 | | 10.61 | |
| 03/09/2023 | | 10.61 | |
| 03/13/2023 | | 10.61 | |
| 06/23/2023 | | 17.30 | |
| 09/19/2023 | | <u>30.70</u> | |
| Subtotal | | | 90.44 |

SUMMARY

| | |
|---|--------------------------|
| Billable Hours and Fees (19.17/hrs x \$325.00/hr) | 6,230.25 |
| Costs | <u>90.44</u> |
| TOTAL FEES | <u>\$6,320.69</u> |