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

NANCY KNIGHT,	)	NO.: CV-2018-04003
)	
Plaintiff,	)	JUDGMENT OF DISMISSAL
	)	OF PLAINTIFF'S COMPLAINT
vs.	)	WITH PREJUDICE;
	)	JUDGMENT IN FAVOR OF
GLEN LUDWIG and PEARL LUDWIG, Trustees	)	DEFENDANTS, LUDWIG,
of THE LUDWIG FAMILY TRUST; FAIRWAY	)	FAIRWAY AND AZARMI
CONSTRUCTORS, INC.; MEHDI AZARMI;	)	AGAINST THE PLAINTIFF
JAMES B. ROBERTS and DONNA M.	)	NANCY KNIGHT AWARDED
ROBERTS, husband and wife; JOHN DOES 1-10;	)	DEFENDANTS THEIR
JANE DOES 1-10; ABC CORPORATIONS 1-10;	)	ATTORNEY FEES AND COSTS
and XYZ PARTNERSHIPS 1-10.)	
)	
Defendants.)	
)	

The Court has reviewed the Defendants' Motion to Dismiss with Prejudice and notes that the Plaintiff has not filed a response. The Court finds that the Plaintiff was given until November 2, 2023, to attempt the first service packet. The Court does not find that the Plaintiff has made any efforts to comply with this order. The plaintiff has willfully and deliberately refused and refuses to comply with this Court's specific and definitive orders.

The Court further finds that the Plaintiff is in contempt for failing to comply with the Court's Order. Pursuant to Rule 70(e) of the Rules of Civil Procedure the Court finds that the appropriate sanction for the contempt is the dismissal of Plaintiff's Complaint, a fact that was made specifically clear to the Plaintiff within this Court's Orders entered September 13, 2023, and with which Plaintiff has failed to comply.

This Court further finds that under and pursuant to Rule 41(b) ARCP the Plaintiff having failed and refused to comply with this Court's Orders, this Judgment operates as an adjudication on the merits. No further matters remain pending. This Judgment is entered under Rule 54(c) Arizona Rules of Civil Procedure.

The Court further finds that this case has been pending for approximately 5 years and it is still no closer to a resolution than when it was first filed. The Plaintiff has been persistent in her efforts to seek rulings from the Court over and over again on matters and issues that have already been resolved.

The Defendants have requested an award of their reasonable attorney fees and costs. The Court finds the Defendants are entitled to reasonable attorney's fees.

Based upon the forgoing, the Court grants the Defendants' November 29, 2023, Motion to Dismiss with Prejudice as well as Defendants' request for a judgment awarding Defendants their taxable costs and attorney fees.

IT IS ORDERED vacating the hearing scheduled December 21, 2023 at 3:30 p.m.

IT IS ORDERED judgment is hereby entered dismissing the above-captioned cause with prejudice.

IT IS ORDERED, in accord with Rule 54(h) ARCP, judgment is entered on behalf of Defendants, Glen Ludwig and Pearl Ludwig, Trustees of the Ludwig Family Trust; Fairway Constructors, Inc., and Mehdi Azarmi, collectively, and against the Plaintiff, Nancy Knight, for Defendants' reasonable attorney's fees in the amount of \$ 215,468.50 plus interest at the rate of 9.5 % from the date of this Judgment until paid in full. Defendants are also hereby awarded their taxable costs in the amount of \$ 1786.00 plus interest at the rate of 9.5 % from the date of this Judgment until paid in full. Plaintiff's payment shall be made payable to the "Law Offices of Daniel J. Oehler Trust Account" and delivered to 2001 Highway 95, Suite 15, Bullhead City, Arizona 86442.

DONE IN OPEN COURT this 17th day of January, 2024.



HONORABLE DALE P. NIELSON