

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-035735

05/20/2010

HON. JOHN REA

CLERK OF THE COURT  
L. Gilbert  
Deputy

M & I MARSHALL & ILSLEY BANK

LAURA NELSON HALE

v.

DAVID M MEDINA, et al.

PHILIP G MAY

KEVIN T MINCHEY

MINUTE ENTRY

Defendants Medina filed a Counterclaim against M&I Bank and a Third-Party Complaint against Arizona Home Appraisal Services, LLC, and Kenneth Lemoine. M&I Bank and Lemoine moved to dismiss the Counterclaim and Third-Party Complaint, respectively. A response and replies were filed. Subsequently, the Medinas filed an Amended Counterclaim and Third-Party Complaint. M&I moved to dismiss the Amended Counterclaim, to which the Medinas responded. Since the arguments urged in Lemoine's Motion to Dismiss apply to the Amended Third-Party Complaint, the Court considers Lemoine's Motion to Dismiss in the context of the Amended Third-Party Complaint.

There was a request for oral argument. The Court is fully informed by the parties' written arguments and does not find oral argument necessary.

IT IS ORDERED M&I Bank's Motion to Dismiss Amended Counterclaim is denied.

IT IS FURTHER ORDERED Third-Party Defendant Lemoine's Motion to Dismiss is denied.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>