

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2018-006055

09/12/2018

HONORABLE HUGH HEGYI

CLERK OF THE COURT
S. Brown
Deputy

EARL H MILLER, et al.

DANIEL B TREON

v.

AMERICAN FAMILY MUTUAL INSURANCE COMPANY, et al.

LYNN M ALLEN

JUDGE HEGYI

MINUTE ENTRY

This matter came on for argument August 29, 2018 with regard to the Plaintiff's April 26, 2018 Application to Confirm Appraisal Award and for Judgment Theron (hereafter referred to as the "Application"). Following argument, the Court took the matters presented under advisement. Having further considered those matters, for the reasons stated by parties at argument and in their briefs,

IT IS ORDERED, granting the Application insofar as it requests that the Court confirm the appraisal award.

IT IS FURTHER ORDERED, denying the Application insofar as it requests that the Court enter judgment in Plaintiff's favor, without prejudice to Plaintiff requesting summary judgment with regard to this issue.

In particular, the Court does not find as a matter of law on the record before it that Defendant agreed to cover the asserted loss or that no exclusions applied to the loss. It also does not find that Defendant is estopped to deny the same.