

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2003-013544

09/15/2003

CV 2003-090360

HON. PAUL A KATZ

CLERK OF THE COURT  
B. Navarro  
Deputy

FILED: 09/17/2003

MICHAEL D WOOD

MICHAEL D WOOD  
P O BOX 6916  
GLENDALE AZ 85312-6916

v.

DOUG TODD

APRIL J VILLARREAL-THEIS

DOCKET-CIVIL-CCC  
FILE ROOM-CSC  
JUDGE HICKS  
GINO CARLUCCI  
1959 S POWER RD #103  
MESA AZ 85206  
METROPOLITAN FINANCIAL CORP  
4500 N 32ND ST #200  
PHOENIX AZ 85018  
MORTGAGE ELECTRONIC  
REGISTRATION FOR  
HOUSEHOLD FINANCE CORP  
PO BOX 2026  
FLINT MI 48501-2026  
CAMELBACK GREENS HOA  
C/O PLANNED DEVELOPMENT  
SERVICES INC  
PO BOX 2590  
LITCHFIELD PARK AZ 85340-2590  
CITIBANK NA  
C/A JEROLD KAPLAN LAW OFFICE P  
330 S 1ST AVE  
PHOENIX AZ 85003  
DAVID A ORCHARD  
7719 S KACHINA DR  
TEMPE AZ 85284  
PENSICO ENTERPRISES INC

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7719 S KACHINA DR  
TEMPE AZ 85284  
PATRICIA A WISHER  
7719 S KACHINA DR  
TEMPE AZ 85284  
FIRST BANK NA  
C/O US PROPERTY AND APPRAISAL  
ATTN: MORTGAGE DEPT  
PO BOX 16489  
PITTSBURGH PA 15242  
AZ DEPT OF ECONOMIC SECURITY  
UNEMPLOYMENT TAX 911B 1  
PO BOX 6028  
PHOENIX AZ 85005-6028  
PENCO ENTERPRISES INC  
PO BOX 22333 STE 303  
TEMPE AZ 85285  
DONALD W POWELL  
7301 N 16TH ST #103  
PHOENIX AZ 85020  
PENCO ENTERPRISES INC  
2614 S WINTERSBURG RD  
TONOPAH AZ 85354

**MINUTE ENTRY**

4:11 p.m. This is the time set for an Evidentiary Hearing as to Mr. Wood's Revised Motion and as to Mr. Carlucci's claim under CV 2003-090360. Plaintiff Michael D. Wood is on his own behalf. Defendant is represented by counsel, April J. Villarreal-Theis. Plaintiff Gino Carlucci (CV 2003-090360) is not present.

Court Reporter, Bethany Campbell, is present.

Remarks by the Court are made.

Michael D. Wood is sworn and testifies.

With respect to Mr. Wood's Second Claim for Relief from the Elizabeth Marie Smyth-Taul property,

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**IT IS ORDERED** awarding \$1,167.88 to Excess Proceeds of Arizona, L.L.C. and Michael D. Wood.

With respect to Mr. Wood's Third Claim for Relief from the Penni Robinson and Francis Robinson property,

**IT IS ORDERED** awarding \$1,697.28 to Excess Proceeds of Arizona, L.L.C and Michael D. Wood.

With respect to Mr. Wood's Fourth Claim for Relief from the Haydee Garcia property,

**IT IS ORDERED** awarding \$4,295.53 to Excess Proceeds of Arizona, L.L.C and Michael D. Wood.

With respect to Mr. Wood's Fifth Claim for Relief from the Philip A. Susic property,

**IT IS ORDERED** awarding \$7,040.44 to Excess Proceeds of Arizona, L.L.C and Michael D. Wood.

With respect to Mr. Wood's First Claim for Relief from the Charles R. Desrochers' property,

**IT IS ORDERED within the next week**, Mr. Wood and Mr. Carlucci shall attempt to contact each other by telephone.

**IT IS FURTHER ORDERED** that the parties shall meet and confer to decide whether they might be able to reach an agreement between themselves on how the monies might be divided.

Brief discussion is held re: the assignment agreements,

**IT IS ORDERED** that no later than **September 22, 2003**, Mr. Wood shall provide the Court with copies of the assignment agreements.

**IT IS FURTHER ORDERED** setting this matter for a **Hearing on Michael Wood's and Gino Carlucci's claims for October 9, 2003 at 9:30 a.m.** If Mr. Carlucci fails to appear on October 9, 2003, his Complaint will be ordered stricken and the excess proceeds will be paid, in their entirety, to Mr. Wood.

4:40 p.m. Matter concludes.

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**LATER:**

On the Court's own motion,

**IT IS ORDERED** consolidating cause numbers CV 2003-013544 and CV 2003-090360 under cause number **CV 2003-013544** for all further proceedings.

/S/ HON. PAUL A. KATZ

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HON. PAUL A. KATZ  
JUDGE OF THE SUPERIOR COURT