

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2009-017113

04/20/2011

HONORABLE DEAN M. FINK

CLERK OF THE COURT
S. Brown
Deputy

BARRY B YAMRON, et al.

JAMES J PALECEK

v.

ENGLE WHITESTONE L L C, et al.

BARBARA K BERRETT
BOOKER T EVANS JR.

MINUTE ENTRY

The Court has considered the Joint Motion to Strike Multiple Pleadings Based on Plaintiffs Failure to Properly Serve the Parties as Required filed March 15, 2011, Plaintiffs' Response filed April 4, 2011 and Defendants Roberts Appraisal Group and Ranta's Reply filed April 15, 2011. The Court does not find that oral argument would be of assistance in resolving this motion and, therefore,

IT IS ORDERED denying the requests for oral argument.

Although the Court does not excuse or condone Plaintiffs' admitted failures with regard to timely service of pleadings, the requested sanctions by Defendants are extreme, particularly here, where it does not appear that Defendants were unable to properly respond to any of the pleadings Defendants now seek to strike.

IT IS ORDERED denying the Joint Motion to Strike Multiple Pleadings Based on Plaintiffs' Failure to Properly Serve the Parties as Required, filed March 15, 2011.

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The Court notes, however, that it expects Plaintiffs' actions to match what is stated in its mailing certificates. It also expects Plaintiffs to comply with the rules regarding the mailing of pleadings to opposing counsel.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.