

1 **CARPENTER, HAZLEWOOD, DELGADO & BOLEN, LLP**

2 Attorneys at Law
3 1400 E. Southern Avenue, Suite 400
4 Tempe, Arizona 85282-5691
5 (480) 427-2800, Facsimile (480) 427-2801
6 minuteentries@carpenterhazlewood.com
(Curtis S. Ekmark – SBN 014773)
curtis.ekmark@carpenterhazlewood.com
(Gregory A. Stein – SBN 030746)
greg.stein@carpenterhazlewood.com
CAU.DESMTNMA.0003

7 Attorneys for Defendants

8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

9 **IN AND FOR THE COUNTY OF MARICOPA**

10
11 **NICDON 10663, LLC, an Arizona limited**
12 **liability company,**

13 **Plaintiff,**

14 **v.**

15 **DESERT MOUNTAIN MASTER**
16 **ASSOCIATION, an Arizona nonprofit**
17 **corporation,**

18 **Defendant.**

Case No. CV2018-015165

**DEFENDANT'S RESPONSE
TO PLAINTIFF'S DEMAND
FOR JURY TRIAL**

(Assigned to the
Honorable Colleen French)

19
20 Defendant The Desert Mountain Master Association, Inc. (the "Association") by and
21 through undersigned counsel, hereby responds to the Demand for Jury Trial ("Demand")
22 filed by Plaintiff Nicdon 10663, LLC ("Nicdon"). In its Demand, Nicdon requested a "jury
23 trial on all claims so triable." The Association disputes that any claims set forth in Nicdon's
24 Complaint are triable to a jury and reserves the right to file a Motion to Strike Nicdon's
25 Demand upon further factual and procedural development of the case.
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1 RESPECTFULLY SUBMITTED this 9th day of January, 2019.

2 **CARPENTER, HAZLEWOOD, DELGADO & BOLEN, LLP**

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4 By: /s/ Curtis S. Ekmark
5 Curtis S. Ekmark, Esq.
6 Gregory A. Stein, Esq.
7 1400 E. Southern Ave., Suite 400
8 Tempe, AZ 85282
9 *Attorneys for Defendant*

10 ORIGINAL E-filed w/the Superior Court
11 this 9th day of January 2019 at:

12 www.AZTurboCourt.gov

13 COPY of the foregoing mailed and emailed
14 this 9th day of January 2019 to:

15 Jonathan A. Dessaulles, Esq.
16 Jacob A. Kubert, Esq.
17 Dessaulles Law Group
18 5353 North 16th Street, Suite 110
19 Phoenix, Arizona 85016
20 jdessaulles@dessaulleslaw.com
21 jkubert@dessaulleslaw.com
22 *Attorney for Plaintiff*

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26
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28 By: /s/ Sarah Andon