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12 Attorneys for Defendants

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

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

15 **NICDON 10663, LLC, an Arizona limited
liability company,**

16 **Case No. CV2018-015165**

17 **Plaintiff,**

18 **v.**

19 **DESERT MOUNTAIN MASTER
ASSOCIATION, an Arizona nonprofit
corporation,**

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

21 (Assigned to the
Honorable Colleen French)

22 **Defendant.**

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

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
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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:

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