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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**
16 **liability company,**

17 **Plaintiff,**

18 **v.**

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

22 **Defendant.**

23 **Case No. CV2018-015165**

24 **AFFIDAVIT OF KEVIN POLLOCK IN**
25 **SUPPORT OF DEFENDANT'S**
26 **MOTION FOR SUMMARY**
27 **JUDGMENT**

28 (Assigned to the
Honorable Colleen French)

I, Kevin Pollock, being first duly sworn upon my oath, depose and state:

1. I am the Executive Director for the Desert Mountain Master Association,
the Defendant in this action.

2. As such, I am familiar with the amendment of the Use Restrictions at issue
in this action.

3. I am over the age of 21 and competent to testify in this matter.

4. The Declaration attached as Exhibit A and referenced in paragraph 6 of the
complaint is the Declaration that applies to all property in Desert Mountain.

