

wp

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

FILED
DATE: <u>1-15-14</u> ✓
<u>11:22</u> O'Clock <u>A.M.</u>
Sandra K Markham, Clerk
BY: <u>R. Hagen</u>
Deputy

DIVISION 1

Sandra K Markham, Clerk

HON. DAVID L. MACKEY

BY: R. Hagen, Deputy Clerk

CASE NO. P1300CV4772

DATE: January 15, 2014

TITLE:

GREGORY W. HANCE, et al
(Plaintiffs)

COUNSEL:

V

WALES ARNOLD, et us., et al. (In the matter
of VERDE DITCH COMPANY),
(Defendants)

THE VERDE DITCH COMPANY,

(Petitioner)

L. Richard Mabery
L. Richard Mabery, P.C.
(Electronically Mailed)
(For Petitioner)

V

BERNADINE A. LIPPINCOTT, as Trustee of
the BERNADINE A. LIPPINCOTT LIVING
TRUST, dated November 16, 1984,
(Respondent)

HEARING ON:

NATURE OF PROCEEDINGS

COURT REPORTER

ORDER TO SHOW CAUSE RE: BERNADINE A. LIPPINCOTT, Trustee,
BERNADINE A. LIPPINCOTT LIVING TRUST

Lisa Chaney

START TIME: 11:15 a.m.

APPEARANCES: Richard Mabery, Counsel for Petitioner
Al Dupuy, Commissioner, The Verde Ditch Company
Commissioners, The Verde Ditch Company

Bernadine A. Lippincott does not appear and no one appears on her behalf. The Court notes that service was accomplished on December 23rd.

Counsel for Petitioner states there is an unpaid assessment and special assessment. Counsel for Petitioner presents a form of Judgment, Statement of Costs and Affidavit of Attorneys' Fees to the Court. Counsel makes avowals.

The Court **finds** that Bernadine Lippincott has failed to appear and contest. The Court accepts the avowals of counsel.

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Exhibits 8 and 9 are admitted into evidence.

The Court **further finds** that Verde Ditch is entitled to judgment against Bernadine A. Lippincott, as Trustee of the Bernadine A. Lippincott Living Trust, dated November 16, 1984, for \$2,389.50 for past due assessments and a penalty of \$543.69 as well as accruing interest of \$187.92 as of January 15, 2014, \$800 for attorneys' fees and \$289.40 for costs, which shall accrue interest at 10% per annum.

The balance of the Court's findings are set forth in the Judgment entered this date.

The Court signs the Judgment in open court.

Court is adjourned.

END TIME: 11:22 a.m.