

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2002-024183

06/02/2003

HONORABLE KENNETH L. FIELDS

CLERK OF THE COURT
D. Whitford
Deputy

FILED: 06/04/2003

BARBARA E LIBERMAN

M WAYNE LEWIS

v.

JERRY P MAXIMOFF

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2242 E PALM LN
PHOENIX AZ 85006

RULING

The Court has under advisement the plaintiff's Motion for Summary Judgment. Since there is no request for oral argument, the Court will rule based on the pleadings. After consideration of such, the Court grants plaintiff's motion.

The parties shall submit a name of a qualified person to be designated a commissioner for the sale of the real estate no late than **June 16, 2003**. The net proceeds less cost of sale, liens and encumbrances will be divided equally. The Court will consider at the time of distribution what, if any, diminution in value has occurred and any offset for payment of unequal amounts by the parties.

Plaintiff shall submit a form of order.