

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2010-001833

10/19/2012

HONORABLE ARTHUR T. ANDERSON

CLERK OF THE COURT  
L. Nelson  
Deputy

JAY D RABINS, et al.

JAY D RABINS  
8326 E LINCOLN DRIVE  
SCOTTSDALE AZ 85250  
JEFFREY MILLER

v.

CATHERINE J DRAGON

CATHERINE J DRAGON  
8013 E KRAIL STREET  
SCOTTSDALE AZ 85250

DAN DURANT  
7319 N 16TH STREET  
PHOENIX AZ 85020  
CHRISTOPHER WILSON  
C/O CACTUS MOUNTAIN  
PROPERTIES, LLC  
42863 W MISTY MORNING LN  
MARICOPA AZ 85138

**MINUTE ENTRY**

9:00 a.m. This is the time set for Order to Show Cause Hearing. Plaintiff, Jay D. Rabins, is present on his own behalf and on behalf of The Jay David Rabins Living Trust. Defendant, Catherine J. Dragon, is present on her own behalf.

Discussion is held regarding Plaintiff's Motion to Enforce the Settlement Agreement. Plaintiff claims that Defendant is unwilling to sign the appropriate documents in connection with the short sale of the property and intends on removing permanent fixtures from the property.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2010-001833

10/19/2012

**IT IS ORDERED** the Court shall take a short recess and the parties are required to remain in the courtroom and attempt to reach a resolution.

9:07 a.m. Court stands at recess.

9:25 a.m. Court reconvenes with the respective parties present.

The parties inform the Court that they are unable to reach a resolution.

**THEREFORE IT IS ORDERED** the Court issues the following rulings:

- Plaintiff, Mr. Rabins, and his Realtor, Christopher Wilson, shall not be allowed on the property or have a key to the property until Defendant, Ms. Dragon, has had an opportunity to move her belongings from the property.
- Advance notice shall be given to Ms. Dragon, in the event Mr. Wilson wants to show the property to a potential buyer prior to her departure.
- Ms. Dragon's dog shall be removed from the premises or confined to a crate during any showing of the home.
- No realtor lockbox will be allowed until after Ms. Dragon has departed from the property.

Defendant requests permission to remove the air conditioner currently affixed to the roof and replace it with one located on the property. Plaintiff objects.

Realtor, Christopher Wilson is present telephonically.

**IT IS FURTHER ORDERED** Mr. Wilson has agreed to contact an air conditioner technician regarding the two air conditioner units located at the residence and acquire an appraisal for both units including the operating condition of each and the cost of exchanging them. Additionally, he has agreed to provide the Court with an assessment regarding any effect this exchange may have on the property value. This information shall be provided to the Court no later than **5:00 p.m. on October 26, 2012.**

The Court shall determine whether or not Defendant may switch the air conditioner units after it has had an opportunity to review Mr. Wilson's aforementioned assessment.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2010-001833

10/19/2012

**IT IS FURTHER ORDERED** granting Plaintiff, Jay D. Rabin, sole authority to sign all future documents in connection with the sale of the property.

9:45 a.m. Hearing concludes.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.