

1 **Arek R. Fressadi, pro se**  
2 10780 S. Fullerton Rd.  
3 Tucson, AZ 85736  
4 520.216.4103  
5 arek@fressadi.com

6 **IN THE SUPERIOR COURT OF ARIZONA**  
7 **IN AND FOR THE COUNTY OF PIMA**

8 AREK FRESSADI, an unmarried man, )  
9 Plaintiff, )  
10 -vs- )  
11 KATHRYN ANN GLOVER, an unmarried )  
12 woman, ROD ROBERTSON ENTERRISES, )  
13 INC., a foreign corporation registered to do )  
14 business in Arizona, PIMA COUNTY / PIMA )  
15 COUNTY SHERIFF’S DEPARTMENT, a )  
16 government entity, PIMA COUNTY STATE )  
17 ACTORS DOES I-X, and the STATE OF )  
18 ARIZONA, a government entity, STATE OF )  
19 ARIZONA DOES XI-XX )  
20 Defendants. )

Case No.: C20153965

**OBJECTION TO STATE OF ARIZONA’S MOTION FOR AN EXTENSION TO FILE REPLY**

Assigned to the  
Honorable Stephan Villarreal

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21 It is a sad commentary when the Office of the Attorney General of the State of Arizona  
22 proffers false statements of fact and law to the tribunal. Defendant State of Arizona’s request for  
23 an extension is disingenuous and incongruent to its dubious “timeliness” argument contained in  
24 its Motion to Dismiss. The State “drew first blood” in its Motion to Dismiss; that even if Plaintiff  
25 was late by one day, then the statute of limitations time bars his claim(s). What’s good for the  
26 goose is good for the gander.

Plaintiff contacted AZ Turbo Court to ascertain the veracity of Defendant’s claim—that they were not served. Exhibit A. It would seem that the AG’s office did not comply with Turbo Court procedures. See bottom email of Exhibit C. According to AZ Turbo Court, Defendant State of Arizona was e-served on December 10, 2015 at 5:58 AM. Exhibit B. Attorney Dan Campbell for Defendant Rod Robertson Enterprises accepted service evidencing that the Turbo Court system was functioning. See also Certificate of Service on Plaintiff’s Response to Dismiss,

1 filed December 10, 2015. State Attorneys received Plaintiff's emails without issue.

2 The State had notice to accept service from December 10, 2015. One would hope that the  
3 Attorney General of the State of Arizona is familiar with the Rules of Professional Conduct, ER  
4 3.3, 8.4 and the requirements of timeliness to file a reply and the consequences thereof. Rule  
5 7.1(a)(b), Arizona Rules of Civil Procedure. It strains credulity that because the State did not  
6 "discover" Plaintiff's response until the 18<sup>th</sup>, they should have extra time to reply. The State had  
7 ample time to reply in accordance with Rule 7.

8 Contrary to the State's characterization of Plaintiff's cooperativeness in its Motion for an  
9 Extension, Plaintiff indicated receptivity to settlement of claims against the State in the interests  
10 of judicial economy. Exhibit C.

11 For reasons stated, Fressadi respectfully requests that Defendant State of Arizona's  
12 Motion for an Extension of Time to file a reply be denied.

13 **DATED** this 22<sup>nd</sup> day of December, 2015.

14 /s/Arek R. Fressadi

15 Arek R. Fressadi, Plaintiff *Pro Se*

16 CERTIFICATE OF SERVICE

17 I certify that the foregoing document was electronically transmitted on this day to the Clerk's  
18 Office using the TurboCourt Civil E-Filing System for Filing and transmittal of same to the  
19 following:

20 Honorable Stephen Villareal  
21 PIMA COUNTY SUPERIOR COURT  
110 West Congress  
Tucson, AZ 85701

22 Copies to:

520.638.2800

[Chris.kaplan@azag.gov](mailto:Chris.kaplan@azag.gov)

[Robert.mccright@azag.gov](mailto:Robert.mccright@azag.gov)

23 Mark Brnovich  
24 Attorney General  
25 Christopher R. Kaplan SBN 031869  
26 Robert R. McCright SBN 025327  
Assistant Attorneys General  
177 North Church Avenue, Suite 1105  
Tucson, AZ 87501-1114

Barbara LaWall  
Pima County Attorney  
Civil Division  
Dennis C. Bastron SBN 027294  
Deputy County Attorney

1 32 North Stone Avenue, Suite 2100  
2 Tucson, AZ 85701  
3 520.740.5750  
4 Dennis.bastron@pcao.pima.gov  
5  
6 The Cavanagh Law Firm  
7 1850 North Central Avenue, Suite 2400  
8 Phoenix, AZ 85004-4527  
9 Scott A. Salmon SBN 006443  
10 [Ssalmon@cavanghlaw.com](mailto:Ssalmon@cavanghlaw.com)  
11 Kenneth Chase  
12 [ken@kennethchaselaw.com](mailto:ken@kennethchaselaw.com)  
13 Attorneys for Defendant Kathryn A. Glover

O'Connor & Campbell, P.C.  
7955 South Priest Drive  
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Angela L. Cooner SBN 023410  
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[Dan.campbell@occlaw.com](mailto:Dan.campbell@occlaw.com)  
[Angela.cooner@occlaw.com](mailto:Angela.cooner@occlaw.com)  
Attorneys for  
Rod Robertson Enterprises, Inc.

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*/s/ Arek R. Fressadi*  
Arek R. Fressadi, Plaintiff *Pro Se*

# EXHIBIT A

**Arek Fressadi**

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**From:** Arek Fressadi [arek@fressadi.com]  
**Sent:** Monday, December 21, 2015 12:49 PM  
**To:** support@courts.az.gov; CustomerService@TurboCourt.com  
**Cc:** Chris.kaplan@azag.gov; Robert.mccright@azag.gov; Dennis.Baston@pcao.pima.gov; Ssalmon@cavanghlaw.com; Dan.campbell@occlaw.com; Angela.cooner@occlaw.com; arek@fressadi.com  
**Subject:** FW: E-Filing Status: Documents Processed  
**Attachments:** 12-10-15 response to AG w exh.pdf

Dear Turbo Court Customer Service,

I just received a phone call from Attorney Chris Kaplan who claims that he was not e-served a copy of my response on December 10th.

He also claims that he called Pima County who also claims that they did not receive a copy of my response, yet I have been in contact with Dan Campbell and Angela Cooner who acknowledge receipt of my filing.

<https://www.azcourts.gov/azturbocourtinformation/e-Serve>

Can you please verify whether the Defendants (as cc'd above) were served with my response on December 10th as requested?

Thank you for your prompt attention to this matter.

**Arek R. Fressadi**

[arek@fressadi.com](mailto:arek@fressadi.com)

**Professional Profile**

520.216.4103

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**From:** TurboCourt Customer Service [mailto:CustomerService@TurboCourt.com]

**Sent:** Thursday, December 10, 2015 8:05 AM

**To:** Arek Fressadi

**Subject:** E-Filing Status: Documents Processed

PLEASE DO NOT REPLY TO THIS EMAIL.

The following document(s) have been processed for Case #C20153965:

Response: Response to State of Arizona's Motion to Dismiss (Accept)

YOU MUST log back on to <http://turbocourt.com/> to view and/or print your stamped copy.

If you have questions about your filing, please contact AOC Support Services, phone number 602-452-3519 or 1-800-720-7743, or e-mail [support@courts.az.gov](mailto:support@courts.az.gov). Please have your AZTurboCourt Form Set # available.

Thank you for using TurboCourt!

12/22/2015

# EXHIBIT B



you are working with form set # 1640111

Timeout in 23 min User: arekfressadi

[Home](#)
[Your Profile](#)
[Quit](#)
[Support](#)
**E-Service**[List My Forms](#)[Forms Served By Me](#)[Filing Details](#)[Messages](#)[E-Service](#)**Form Set #** ⓘ 1640111**Case #** ⓘ C20153965**Keyword/Matter #** ⓘ**Status** ⓘ e-Filed**Filing Type** General Civil - Superior Court**Location** Pima - Superior Court**Customer Name** Arek Fressadi**Customer Email** arek@fressadi.com**Delivery Date & Time** 12/10/2015 5:58 AM MST**Filing Date & Time** 12/10/2015 5:58 AM MST

E-Service Email Notification(s) were sent to specified recipients.

**E-Served Recipient(s):** ⓘ


<i>Recipient Name</i>	<i>Email</i>	<i>Role/Comments</i>	<i>Request Sent Date</i>	<i>Last Re-Sent Date</i>	<i>Status</i>	
<input type="checkbox"/> Angela L. Cooner	angela.cooner@occlaw.com	Defendant Rod Robertson Ent. Inc.	12/10/2015 5:58 AM MST	12/21/2015 4:51 PM MST	Pending	<a href="#">History</a>
<input type="checkbox"/> Christopher R. Kaplan	chris.kaplan@azag.gov	Defendant State AG	12/10/2015 5:58 AM MST	12/21/2015 4:51 PM MST	Pending	<a href="#">History</a>
<input type="checkbox"/> Dennis Baston	dennis.baston@pcao.pima.gov	Defendant Pima County	12/10/2015 5:58 AM MST	12/10/2015 5:58 AM MST	Pending	<a href="#">History</a>
<input type="checkbox"/> Dennis Bastron	dennis.bastron@pcao.pima.gov	atty Pima County	12/21/2015 4:51 PM MST	12/21/2015 4:51 PM MST	Pending	<a href="#">History</a>
J. Daniel Campbell	dan.campbell@occlaw.com	Defendant Rod Robertson Ent. Inc.	12/10/2015 5:58 AM MST	12/10/2015 5:58 AM MST	Accepted	<a href="#">History</a>
<input type="checkbox"/> Robert R. McCright	robert.mccright@azag.gov	Defendant State AG	12/10/2015 5:58 AM MST	12/21/2015 4:51 PM MST	Pending	<a href="#">History</a>
<input type="checkbox"/> Scott A. Salmon	ssalmon@cavanghlaw.com	Defendant Glover	12/10/2015 5:58 AM MST	12/21/2015 4:51 PM MST	Pending	<a href="#">History</a>

[Re-Send E-Service Email](#)

**Add/Update E-Service Recipient(s):** 

<i>Recipient Name</i>	<i>Email</i>	<i>Role/Comments</i>	
dennis baston	dennis.baston@pcao.pima.gov		<a href="#">Remove</a>

- [Add New Recipient Manually](#)
- [Lookup Recipient From Address Book](#)
- [View/Synchronize With Case e-Service List](#)

 For the time being, this System uses only a party's email address to perfect electronic Service. This means that if you enter or use any e-mail address that has a valid e-mail format (text@something.com/net/biz/org ...) the System will perfect electronic service onto that e-mail address. Please make sure the e-mail is correct.



# EXHIBIT C

**Arek Fressadi**

---

**From:** Arek Fressadi [arek@fressadi.com]  
**Sent:** Monday, December 21, 2015 5:14 PM  
**To:** Chris.kaplan@azag.gov  
**Cc:** Robert.mccright@azag.gov; dennis.bastron@pcao.pima.gov; Ssalmon@cavanghlaw.com; Angela.cooner@occlaw.com; Dan.campbell@occlaw.com; arek@fressadi.com  
**Subject:** FW: FW: E-Filing Status: Documents Processed  
**Attachments:** 12-10-15 response to AG w exh.pdf; TurboCourteServiceTrainingManual.pdf; TurboCourt - Legal Paperwork Assistance - E-Service.pdf

Chris,

This email is to memorialize our phone conversation today.  
You requested an extension claiming that you did not receive a copy of the response filed 12.10.15.  
My answer was no.  
According to AZ TurboCourt a Request was sent to you on 12/10/15.

Candidly, your motion to dismiss is frivolous and lacking any inkling of empathy for my incapacity and physical disabilities after being run over by a truck driven by Glover.  
<https://lawyerist.com/84087/youll-never-believe-how-many-lawyers-are-psychopaths/>

In the interests of judicial economy, I'm receptive to negotiating a settlement with the State.

Cordially,

**Arek R. Fressadi**  
[arek@fressadi.com](mailto:arek@fressadi.com)  
[Professional Profile](#)  
520.216.4103

---

**From:** AZTurboCourt Assistance [mailto:AZTurboCourtAssistance@courts.az.gov]  
**Sent:** Monday, December 21, 2015 4:26 PM  
**To:** 'arek@fressadi.com'  
**Subject:** FW: FW: E-Filing Status: Documents Processed

Hello,

Below are the instructions for checking eService status. I have attached a copy of the TurboCourt eService Manual for your reference and you can find more tutorials online at:  
<https://turbocourt.com/go.jsp?act=actShowMenuItem&mi=miVideosTutorials&tmstp=1450740256337>  
There are two ways to view the status of form sets that you have served: 1) By going directly to the form set; and 2) By clicking on the "Check e-service status" link in the left column of the Home page.

Use the "Check e-service status" link to see an overview of all form sets that you have e-served or to see a list of all form sets that have recipients who have not yet accepted e-service.

- 1) Click on the "Check e-service status" link in the left column of the Home page.

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- 2) You may narrow your search by using the filtering fields.
- 3) If you only want to review form sets with pending e-service requests, click the box next to “Show only filings with pending e-service request(s)”.
- 4) Click “List” to show the form sets that fit the criteria.

To see whether e-service has been accepted by a recipient in a particular form set:

- 1) Open the form set. There are three ways to access your form set:
  - a. Click on the form set number in the “Your Last 5 Cases” box on the Home page, if applicable.
  - b. Use the “My Forms” link on the Home page.
  - c. Use the “Check e-service status” link on the Home page and click on the link for the form set.
- 2) Click on the E-Service Tab in the left column.
- 3) The “E-Served Recipients” box will indicate who was e-served, when the documents were first and last delivered to the recipient, and whether the recipient has accepted service.
  - a. The “status” column will change from “pending” to “accepted” either:
    - When the recipient clicks on the acceptance of service link in the notification email and logs into their AZTurboCourt; or
    - When the recipient views the documents from the “Served on me” or “New e-service request(s)” links in their AZTurboCourt account. (See “Receiving E-Service” section of User Manual)
  - b. The “History” link will take you to another screen where you can see:
    - The messages delivered to the recipient;
    - The date the recipient either clicked on the acceptance link in their email or first viewed the documents through their AZTurboCourt account.

If you have any further questions, please do not hesitate to contact the AOC Support team at 602-452-3519.

Thank you,

**Brandy R Killion**

Business Analyst  
 Court Services Division  
 Administrative Office of the Courts  
 1501 W. Washington  
 Phoenix, AZ 85007



**From:** Customer Service [mailto:customerservice@turbocourt.com]  
**Sent:** Monday, December 21, 2015 12:52 PM  
**To:** AZTurboCourt Assistance <AZTurboCourtAssistance@courts.az.gov>  
**Subject:** Fwd: FW: E-Filing Status: Documents Processed

----- Forwarded message -----

**From:** **Arek Fressadi** <[arek@fressadi.com](mailto:arek@fressadi.com)>  
**Date:** Mon, Dec 21, 2015 at 11:49 AM  
**Subject:** FW: E-Filing Status: Documents Processed  
**To:** [support@courts.az.gov](mailto:support@courts.az.gov), [CustomerService@turbocourt.com](mailto:CustomerService@turbocourt.com)  
**Cc:** [Chris.kaplan@azag.gov](mailto:Chris.kaplan@azag.gov), [Robert.mccright@azag.gov](mailto:Robert.mccright@azag.gov), [Dennis.Baston@pcao.pima.gov](mailto:Dennis.Baston@pcao.pima.gov),  
[Ssalmon@cavanghlaw.com](mailto:Ssalmon@cavanghlaw.com), [Dan.campbell@occlaw.com](mailto:Dan.campbell@occlaw.com), [Angela.cooner@occlaw.com](mailto:Angela.cooner@occlaw.com),  
[arek@fressadi.com](mailto:arek@fressadi.com)

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**Arek R. Fressadi**  
[arek@fressadi.com](mailto:arek@fressadi.com)  
**Professional Profile**  
[520.216.4103](tel:520.216.4103)

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**From:** TurboCourt Customer Service [mailto:[CustomerService@TurboCourt.com](mailto:CustomerService@TurboCourt.com)]  
**Sent:** Thursday, December 10, 2015 8:05 AM  
**To:** Arek Fressadi  
**Subject:** E-Filing Status: Documents Processed

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12/22/2015

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Thank you for using TurboCourt!

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Wishing you a joyful Holiday Season!

Thank you for using TurboCourt!

TurboCourt Customer Support Team!

Website: [www.turbocourt.com](http://www.turbocourt.com)

Twitter: <http://twitter.com/turbocourt>

Facebook: <http://www.facebook.com/?ref=home#!/pages/TurboCourt/106697809377673>

It's Easy. It's TurboCourt.

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