IN THE OFFICE OF ADMINISTRATIVE HEARINGS

JOHN R KRAHN LIVING TRUST / JANET KRAHN LIVING TRUST, Petitioner, v. TONTO FOREST ESTATES HOMEOWNERS ASSOCIATION, Respondent.	No. 25F-H076-REL **ORDER**

On or about September 29, 2025, the Tribunal issued a subpoena in this matter. On September 30, 2025, Petitioner requested alternative subpoenas to different recipients but for the same information because he knew the original recipient may be incorrect for all of the records. The Tribunal denied the alternative subpoenas, saying "Complainant's new subpoenas for phone records will not be issued at this time. If Respondent does not comply with the prior subpoena for reasons which may be resolved by a new subpoena, Complainant may request a new subpoena."

Respondent did not comply with the subpoena, instead requesting the subpoenas be quashed. The Tribunal quashed the subpoena and gave Petitioner two options: "Petitioner may (1) request updated subpoenas or (2) inform the Tribunal that he would still like the subpoenas requested on September 30, 2025." Instead, Petitioner submitted a Motion to Reconsider on October 6, 2025. Respondent did not submit a Response to the Motion to Reconsider prior to this Order.

On October 12, 2025, Petitioner requested the implementation of disclosure deadlines, and Respondent opposed.

On October 13, 2025, Petitioner requested summary judgment.

IT IS ORDERED the Motion to Reconsider is denied.

IT IS ORDERED <u>preliminary</u> witness and exhibit disclosures shall be made by October 24, 2025. Any witnesses or exhibits not disclosed may be admitted, but the requesting party must explain why it was not disclosed by the deadline.

IT IS ORDERED the motion for summary judgment is denied.

Done this day, October 14, 2025.

/s/ Samuel Fox

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Administrative Law Judge

Transmitted by either mail, e-mail, or facsimile to:

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