

ENTERED

OCT 6 2014

HUALAPAI TRIBAL COURT
PEACH SPRINGS, AZ

IN THE COURT OF THE HUALAPAI NATION
HUALAPAI RESERVATION, STATE OF ARIZONA
PEACH SPRINGS, ARIZONA
CIVIL DIVISION

WD AT THE CANYON, LLC, an Arizona
limited liability company. JAMES R. BROWN,
A married man,.
Plaintiff,

Case No. 2014-CV-005

vs.

ORDER

HAWAL'BAY BA:J ENTERPRISES, INC.,
d/b/a GRAND CANYON RESORT
CORPORATION, A tribally chartered
corporation of, and owned by, the Hualapai
Indian Tribe; CARRIE IMUS, DANIEL
ALVARADO, NEIL GOODELL, DERRICK
PENNEY, CAMILLE NIGHTHORSE,
MICHAEL VAUGHN, WILFRED
WHATONAME, SR. each individuals and
Members or former members of the Grand
Canyon Resort Corporation's board of
Directors; and JENNIFER TURNER, an
Individual and chief executive officer of Grand
Canyon Resort Corporation,
Defendants.

THE COURT FINDS THAT:

1. The Plaintiffs are WD at The Canyon, LLC (hereinafter "WD"), an Arizona limited liability company and James R. Brown, an individual.
2. The Specially Appearing Defendants (hereinafter "Defendants") are Hwal' Bay Ba:J Enterprises, Inc., d/b/a Grand Canyon Resort Corporation (hereinafter "GCRC"), Carrie Imus, Daniel Alvarado, Neil Goodell, Derrick Penney, Camille Nighthorse, Michael

1 Vaughn, Wilfred Whatoname, Sr., members or former members of the Grand Canyon
2 Resort Corporation's board of directors, and Jennifer Turner, chief executive officer of
3 Grand Canyon Resort Corporation. The Grand Canyon Resort Corporation is a wholly-
4 owned enterprise of the Hualapai Indian Tribe

5 3. Plaintiffs' filed a *Verified Complaint* on January 14, 2014.

6 4. On February 14, 2014, Defendants filed *Specially Appearing Respondent's Notice of*
7 *Motion and Motion to Dismiss for Lack of Subject Matter Jurisdiction.*

8 5. On April 2, 2014, this Court issued a Minute Order regarding the *Motion to Dismiss* filed
9 February 14, 2014 which had not been ruled upon. Plaintiffs' counsel requested an
10 evidentiary hearing to be held on the *Motion to Dismiss*. Defendants' stated they would
11 file an *Amended Motion to Dismiss*.

12 6. Plaintiffs' filed an *Amended and Verified Complaint* on April 8, 2014.

13 7. On April 23, 2014, Defendants' filed a *Motion to Dismiss for Lack of Subject Matter*
14 *Jurisdiction.*

15 8. Defendant's filed *Specially Appearing Respondents' Brief Regarding Whether an*
16 *Evidentiary Hearing is Required on Respondents' Motion to Dismiss for Lack of Subject*
17 *Matter Jurisdiction* on April 25, 2014.

18 9. On July 7, 2014, Defendant's filed *Reply to Plaintiffs' Opposition to Respondents'*
19 *Motion to Dismiss for Lack of Subject Matter Jurisdiction.*

20 10. On July 11, 2014, Plaintiffs filed *Plaintiffs' Motion to Strike Defendant's Untimely Filing*
21 *That Exceeds Applicable Page Limits.*

22 11. On July 18, 2014, Defendants' filed *Specially Appearing Respondents' Opposition to*
23 *Plaintiffs' Motion to Strike.*

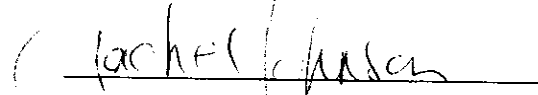
24 12. Based upon this Court's review of the pleadings filed in this matter, the Court finds that
25 oral arguments and/or an evidentiary hearing is necessary in this matter to provide the
Court with additional factual information and to provide an opportunity for the Court to
inquire into the law which supports the positons of each party.

IT IS HEREBY ORDERED THAT:

1. A telephonic Status Hearing shall be scheduled in this matter on Thursday, October 9,
2014 at 1:30 p.m. All parties are to appear by telephone and shall provide the Clerk of the
Court with their respective telephone number three (3) days prior to the hearing.

1 2. During the Status Hearing, the parties shall be prepared to discuss a convenient date and
2 time for oral argument and/or an evidentiary hearing in this matter.

3
4 Dated this 6th Day of October, 2014

5 
6 Rachel F. Johnson, Pro Tem Judge
7 Hualapai Tribal Court

8 Distribution of Copies:

9 Ali J. Farhang
10 Farhand & Medcoff, PLLC
11 4801 E. Baroadway, Blvd., Suite 311
Tucson, Arizona 85711
Attorneys for WD at the Canyon and James R. Brown

12 Verrin T. Kewenvoyouma
13 Jason M. Croxton
14 Kewenvoyouma Law, PLLC
15 700 East Baseline Road, Suite C-1
Tempe, Arizona 85283
Attorneys for Hwal'bay Ba:J Enterprises, Inc. (d/b/a Grand Canyon Resort Corporation), *et al.*