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8 **ARIZONA SUPERIOR COURT**
9 **MARICOPA COUNTY**

10 FIERCE INVESTMENTS LTD.,) No. CV2018-006866
11)
12 Plaintiff,)
13 v.) **APPLICATION FOR ENTRY OF**
14) **DEFAULT JUDGMENT**
15 AZTEC COPPER, INC., an Arizona)
16 corporation,)
17) (Assigned to Hon. Lindsay Abraham)
18 Defendant.)
19)
20)

18 Pursuant to Rule 55, Ariz. R. Civ. P., Plaintiff respectfully requests that the Court enter
19 the default of Defendant Aztec Copper, Inc. (“Aztec”). In support of this Application, counsel
20 for Plaintiff represents as follows:

21 1. Plaintiff caused the Summons, Complaint and Certificate of Compulsory
22 Arbitration to be served upon Aztec on May 4, 2018. *See* Declaration in Support of
23 Application for Entry of Default attached hereto and incorporated herein by reference as
24 Exhibit 1.

25 2. Pursuant to Rule 12(a)(1)(A)(i), Ariz. R. Civ. P., Aztec had until May 24, 2018,
26 to file an answer or otherwise respond to the Complaint.

1 3. Aztec has failed to answer or otherwise respond to the Complaint within the time
2 required. As of today's date, undersigned counsel has not received an answer or other
3 responsive pleading from Aztec, and the Court docket does not reflect that one has been filed
4 by Aztec. In addition, Aztec has failed to answer or otherwise respond to a separate action
5 filed by Plaintiff seeking to exercise Plaintiff's statutory right to inspect Aztec's books and
6 records. *See Fierce Investments Ltd. v. Aztec Copper, Inc.*, No. CV2018-003675 (Arizona
7 Superior Court, Maricopa County). Plaintiff is seeking entry of a default judgment in that
8 action as well.

9 4. Upon information and belief, the Directors and Officers of Aztec are aware of the
10 Complaint. Stephen C. Snyder, a Canadian Barrister/Solicitor, has advised undersigned
11 counsel in writing that he represents Aztec's President/CEO, Ron Arnold, and Aztec's
12 Director, Christine Reeves. Mr. Snyder has also stated that he is "...legal counsel to 1829752
13 Alberta Inc., *previously Aztec Copper Inc.*" *See* Letter from S. Snyder to K. Beauchamp
14 (02/09/2018) (attached hereto as Exhibit 2) (emphasis added).

15 5. Because Mr. Snyder represents the sole director and sole officer of Aztec in their
16 personal capacities, and represents an entity that claims to be the successor in interest to Aztec,
17 a copy of this Application will be provided to Mr. Snyder via email and Federal Express.

18 6. In addition, a copy of this Application will be served on Aztec statutory agent at
19 the following address:

20 Aztec Copper Inc.
21 c/o National Registered Agents Inc.
22 3800 North Central Avenue, Suite 460
23 Phoenix, AZ 85012

24 7. A proposed form of Judgment is being lodged with the Court and served on the
25 Aztec's statutory agent and Mr. Snyder along with this Application.

26 WHEREFORE, Plaintiff requests that the Clerk of this Court enter the default of
Defendant Aztec Copper Inc. in the form of the judgment submitted herewith

1 Respectfully submitted this 2nd day of July, 2018.

2 **COPPERSMITH BROCKELMAN PLC**

3 By /s/ Roopali H. Desai

4 Keith Beauchamp

5 Roopali H. Desai

6 *Attorneys for Plaintiff*

7 ORIGINAL efiled on July 2, 2018.

8 COPY hand-delivered July 2, 2018, to:

9 Aztec Copper Inc.
10 c/o National Registered Agents Inc.
11 3800 North Central Avenue, Suite 460
12 Phoenix, AZ 85012

13 COPY sent via email and Federal Express
14 on July 2, 2018, to:

15 Stephen C. Snyder
16 ssnyder@snyder.ca

17 Snyder & Associates, LLP
18 Barristers & Solicitors
19 #2500 Sun Life Place
20 10231- 99 Street, Edmonton AB TSJ 3H1

21 /s/ Sheri McAlister