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11 **ARIZONA SUPERIOR COURT**
12 **MARICOPA COUNTY**

11 FIERCE INVESTMENTS LTD.,)	No. CV2018-006866
12 Plaintiff,)	
13 v.)	REQUEST FOR RULING AND ENTRY
14 AZTEC COPPER INC., an Arizona)	OF FINAL JUDGMENT
15 corporation,)	
16 Defendant.)	(Assigned to Hon. Christopher Whitten)
17)	

18
19 Default was entered against Defendant Aztec Copper Inc. (“Aztec” or the “Company”),
20 on July 12, 2018 in this shareholder action. Plaintiff’s claims were not for a sum certain, but
21 rather sought a judicial order compelling the Company to hold an annual shareholder meeting
22 in compliance with Arizona law. Therefore, Commissioner Lindsay Abramson set a default
23 hearing on Plaintiff’s request for a judgment. On the eve of the default hearing, Aztec filed a
24 Motion to Set Aside Default and a Motion to Vacate Default Hearing to avoid entry of a final
25 judgment. Plaintiff filed its Response opposing the Motion to Set Aside Default on September
26 10, 2018. No reply was filed.

1 This case is one of two related shareholder proceedings. The other case is assigned to
2 Judge Daniel Kiley, *see Fierce Investments Ltd. V. Aztec Copper Inc., et al.*, No. CV2018-
3 003675, and also resulted in an entry of default against Defendants. Like here, Fierce filed a
4 last-minute Motion to Set Aside Default, but never filed a reply. On October 10, 2018, Judge
5 Kiley entered a Minute Entry ruling, attached as Exhibit A, denying Fierce's Motion to Set
6 Aside Default. This Court should do the same here and deny Fierce's Motion to Set Aside
7 Default.

8 In addition, Plaintiff respectfully requests that the Court enter final judgment in this
9 matter. Because the default against Aztec Copper, Inc., Ron Arnold and Christine Reeves is
10 effective, Plaintiff is entitled to the relief sought in its Complaint. Lodged herewith is the
11 Judgment previously lodged with the Court. Plaintiff respectfully requests that the Court sign
12 and enter this proposed Judgment.

13 Respectfully submitted this 24th day of October, 2018.

14 **COPPERSMITH BROCKELMAN PLC**

15 By /s/ Roopali H. Desai

16 Keith Beauchamp

17 Roopali H. Desai

18 *Attorneys for Plaintiff*

19 ORIGINAL efiled on October 24, 2018.

20 COPY mailed October 24, 2018, to:

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25 /s/ Verna Colwell