

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2017-013832

11/18/2019

HONORABLE DANIEL G. MARTIN

CLERK OF THE COURT  
J. Eaton  
Deputy

PETER S DAVIS

GEOFFREY M STURR

v.

CLARK HILL P L C, et al.

JOHN E DEWULF

JUDGE DANIEL MARTIN

MINUTE ENTRY

Pending before the Court is Plaintiff Peter S. Davis' (as Receiver of DenSco Investment Corporation) April 12, 2019 Motion for Determination that Plaintiff Has Made a Prima Facie Case for Punitive Damages for Aiding and Abetting Breach of Fiduciary Duty, Defendants Clark Hill PLC and David G. Beauchamp's May 13, 2019 Response, and Plaintiff's June 27, 2019 Reply.

As Plaintiff correctly observes, for purposes of its motion (and thereafter the ability to conduct discovery of Defendants' financial information), "only a *prima facie* case needs to be shown—that is, evidence sufficient to establish a fact or raise a presumption." Motion, at 1. Having considered the matters presented, the Court agrees, without deciding the merits, that Plaintiff has presented a *prima facie* case that Defendants aided and abetted Mr. Chittick's breaches of fiduciary duty as set forth in the motion. Accordingly,

IT IS ORDERED granting Plaintiff's motion.