

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.**

Case caption: **W. L. WALKER CO., INC** v. **QUAD RESOURCES, LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11/11/11

11/11/11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

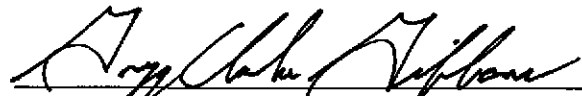
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
13
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DECLARATION

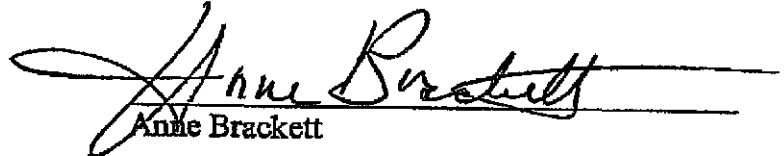
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

McDOWELL HALL
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

) Case No: CV2014-112576

i

)

1

1

**AFFIDAVIT OF
ATTEMPTED SERVICE**

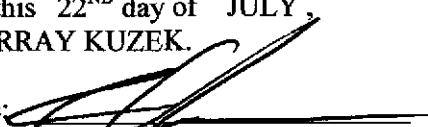
1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

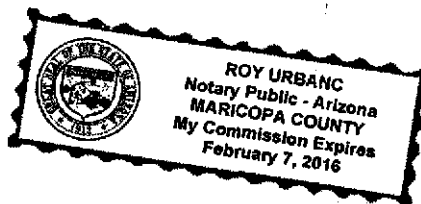
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
	PAYMENT	
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
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- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
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BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.**

Case caption: **W. L. WALKER CO., INC** v. **QUAD RESOURCES, LLC et al,**
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- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
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| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
(480) 443-8109 - FAX (480) 991-8934
giblaw@mindspring.com

5 *Attorney for Plaintiff*

6
7 **McDOWELL MOUNTAIN JUSTICE COURT**
8 **COUNTY OF MARICOPA, STATE OF ARIZONA**
9 18380 N. 40th Street, Phoenix, AZ 85032
10

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

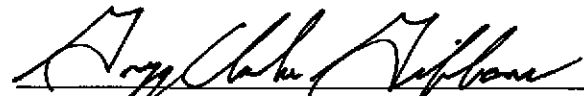
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
13
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DECLARATION

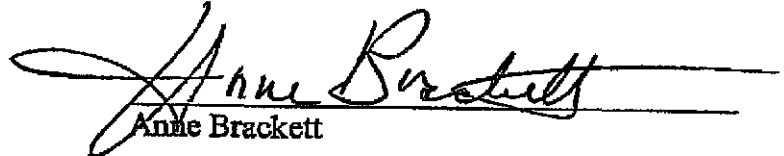
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

McDOWELL HALL
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

) Case No: CV2014-112576

i

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1

AFFIDAVIT OF ATTEMPTED SERVICE

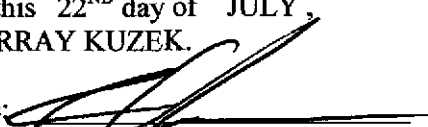
1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

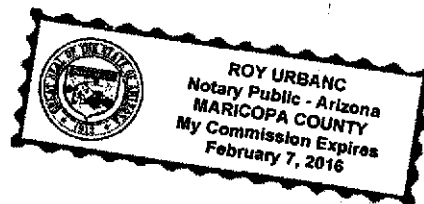
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
PAYMENT	CHECK 1565	\$25.00
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

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7 *Attorney for Plaintiff*

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CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

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6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
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9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
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11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
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16 **COUNT ONE**
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COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

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1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

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4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

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15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
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18
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20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

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9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
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12 prejudgment interest from November 7, 2011;
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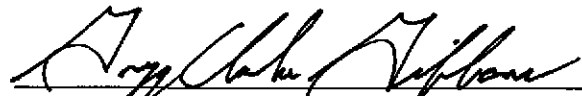
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
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DECLARATION

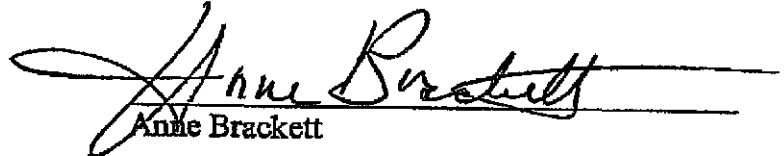
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

MCOWELL HOUSE, JR.
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

VS.

AFFIDAVIT OF ATTEMPTED SERVICE

Defendants.

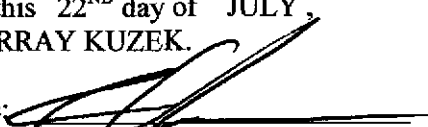
1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

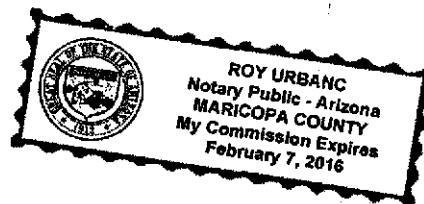
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
	PAYMENT	
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

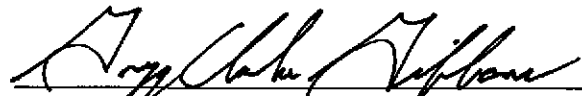
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
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DECLARATION

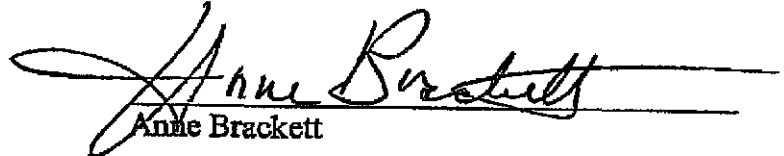
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

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If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

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8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

McDOWELL HON. CLERK
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

) **AFFIDAVIT OF**
) **ATTEMPTED SERVICE**

QUAD RESOURCES, L.L.C.,
JAMES E. ACRIDGE and JANE
DOE ACRIDGE, Husband and Wife

Defendants.

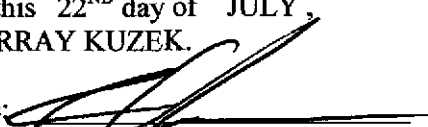
1. I, MURRAY KUZЕК, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
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and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

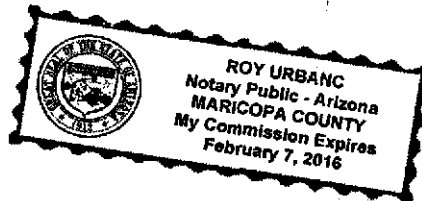
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
PAYMENT		
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 **THE STATE OF ARIZONA TO THE DEFNDANT(S):**

20 **Quad Resources, L.L.C.**

21 **Statutory Agent Ross A. Monaco**

22 **10084 E. Calle De Cielo Cir.**

23 **Scottsdale, AZ 85258**

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,

13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

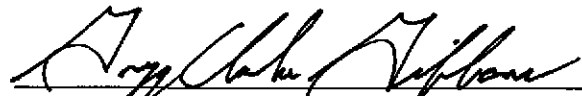
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
13
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DECLARATION

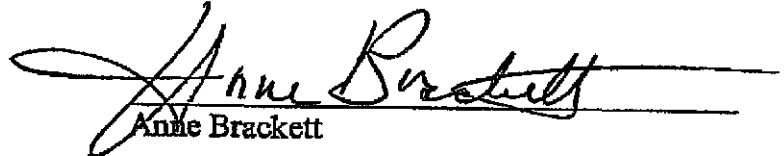
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

MCOWELL HOUSE, JR.
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

VS,

AFFIDAVIT OF ATTEMPTED SERVICE

Defendants.

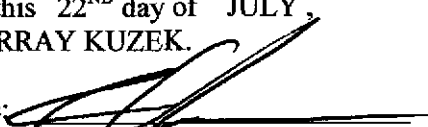
1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
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and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

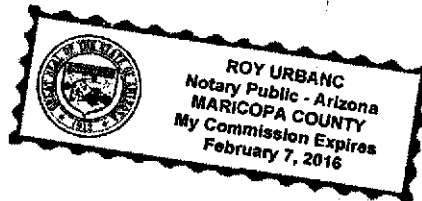
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7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
	PAYMENT	
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
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- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

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4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24 21. Defendant James E. Acridge acted in concert, in connection with, conspired
25 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of
26

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

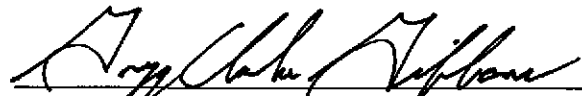
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
13
14
15
16
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DECLARATION

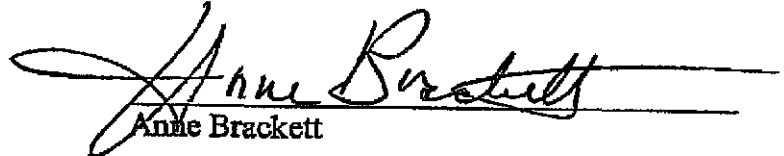
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

McDOWELL HON. CLERK
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

AFFIDAVIT OF

ATTEMPTED SERVICE

Defendants.

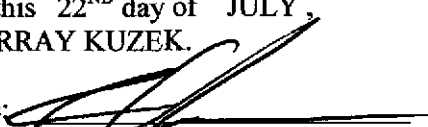
1. I, MURRAY KUZЕК, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

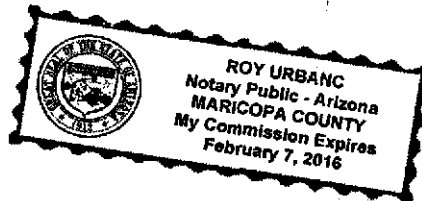
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
	PAYMENT	
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
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| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
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16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

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20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
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14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

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2 **GREGG CLARKE GIBBONS, P.C.**
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4 Scottsdale, Arizona 85255
(480) 443-8109 - FAX (480) 991-8934
giblaw@mindspring.com

5 *Attorney for Plaintiff*

6
7 **McDOWELL MOUNTAIN JUSTICE COURT**
8 **COUNTY OF MARICOPA, STATE OF ARIZONA**
9 18380 N. 40th Street, Phoenix, AZ 85032
10

11 W.L. WALKER CO., INC., an
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14 v.

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16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

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19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

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 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
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1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

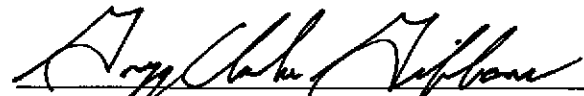
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
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DECLARATION

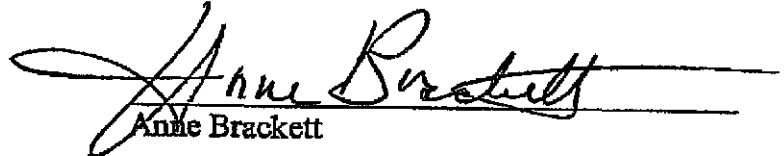
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

McDOWELL HALL, JR.
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

AFFIDAVIT OF

ATTEMPTED SERVICE

Defendants.

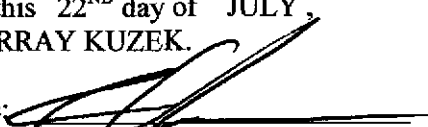
1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

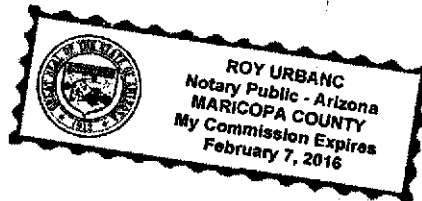
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
PAYMENT		
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
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19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
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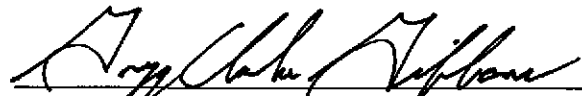
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
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DECLARATION

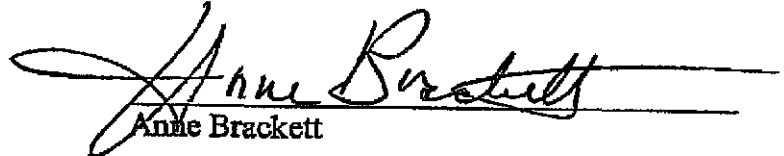
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

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4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

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McDOWELL HALL
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

AFFIDAVIT OF

ATTEMPTED SERVICE

Defendants.

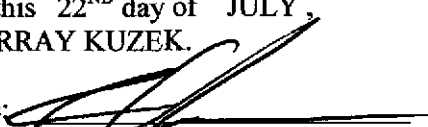
1. I, MURRAY KUZЕК, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

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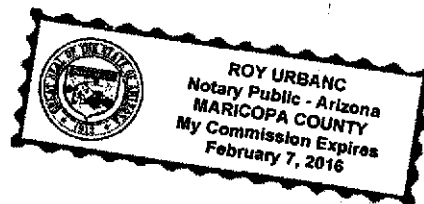
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9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
PAYMENT		
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

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2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

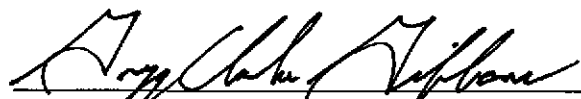
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons

8 **GREGG CLARKE GIBBONS, P.C.**

9 8355 E. Hartford Drive, Suite 201

10 Scottsdale, Arizona 85255

11 Attorney for Plaintiff
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DECLARATION

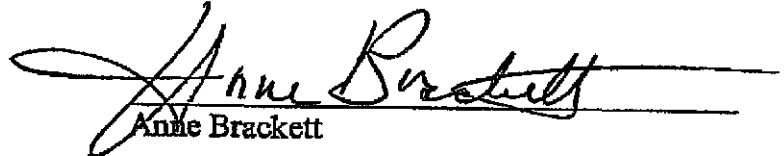
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

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McDOWELL HALL
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

AFFIDAVIT OF

ATTEMPTED SERVICE

Defendants.

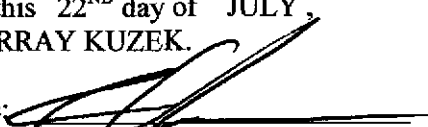
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3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
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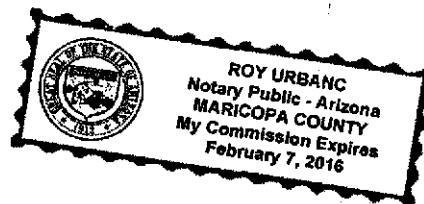
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7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
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9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
PAYMENT		
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.**

Case caption: **W. L. WALKER CO., INC** v. **QUAD RESOURCES, LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
(480) 443-8109 - FAX (480) 991-8934
giblaw@mindspring.com

5 *Attorney for Plaintiff*

6
7 **McDOWELL MOUNTAIN JUSTICE COURT**
8 **COUNTY OF MARICOPA, STATE OF ARIZONA**
9 18380 N. 40th Street, Phoenix, AZ 85032
10

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

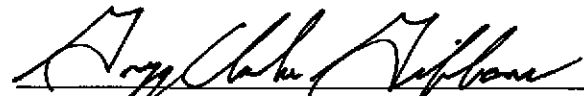
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
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DECLARATION

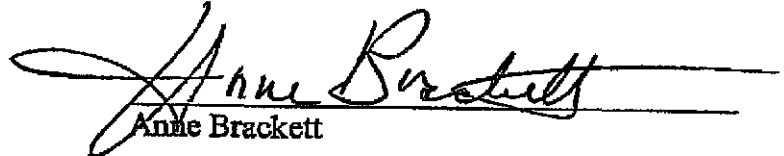
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

McDOWELL HALL, JR.
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

AFFIDAVIT OF

ATTEMPTED SERVICE

Defendants.

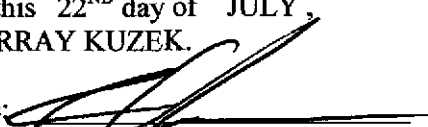
1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

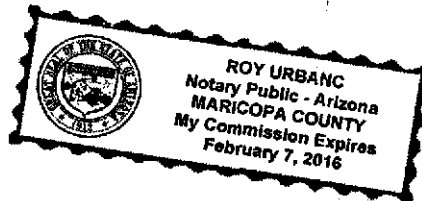
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
PAYMENT		
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

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- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

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Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

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QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
(480) 443-8109 - FAX (480) 991-8934
giblaw@mindspring.com

5 *Attorney for Plaintiff*

6
7 **McDOWELL MOUNTAIN JUSTICE COURT**
8 **COUNTY OF MARICOPA, STATE OF ARIZONA**
9 18380 N. 40th Street, Phoenix, AZ 85032
10

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

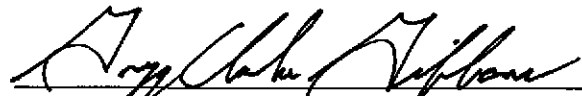
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
13
14
15
16
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DECLARATION

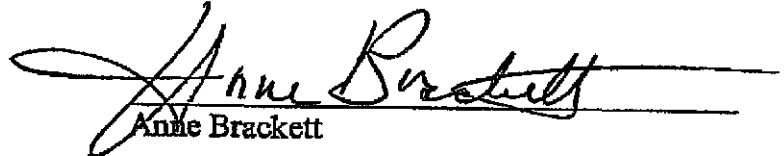
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

McDOWELL HALL, JR.
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

) Case No: CV2014-112576

i

)

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1

**AFFIDAVIT OF
ATTEMPTED SERVICE**

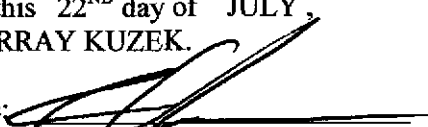
1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

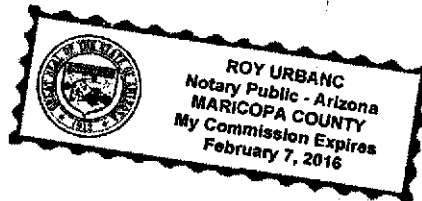
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
PAYMENT		
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 **THE STATE OF ARIZONA TO THE DEFNDANT(S):**

20 **Quad Resources, L.L.C.**

21 **Statutory Agent Ross A. Monaco**

22 **10084 E. Calle De Cielo Cir.**

23 **Scottsdale, AZ 85258**

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
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14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

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4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

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9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
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13 Plaintiff,

14 v.

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16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

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1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
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6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
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16 **COUNT ONE**
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20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
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9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

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COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

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1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

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4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
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15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
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20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

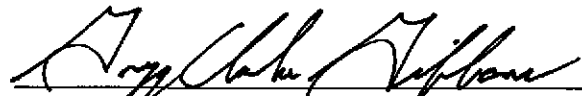
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
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DECLARATION

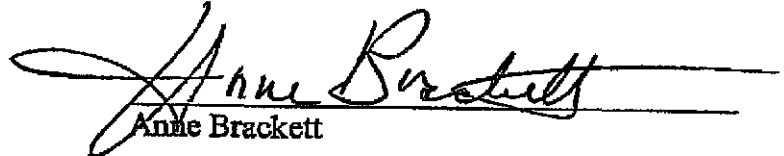
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

McDOWELL HALL
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

W.L. WALKER CO., INC., an
Oklahoma corporation,

Plaintiff,

vs,

QUAD RESOURCES, L.L.C.,
JAMES E. ACRIDGE and JANE
DOE ACRIDGE, Husband and Wife

Defendants.

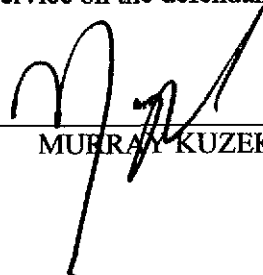
Case No: CV2014-112576

**AFFIDAVIT OF
ATTEMPTED SERVICE**

1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

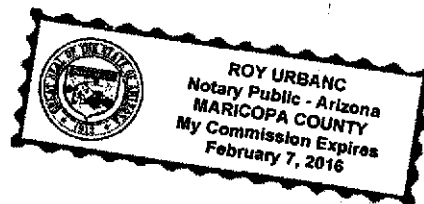
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
PAYMENT	CHECK 1565	\$25.00
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11/11/11

11/11/11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
(480) 443-8109 - FAX (480) 991-8934
giblaw@mindspring.com

5 *Attorney for Plaintiff*

6
7 **McDOWELL MOUNTAIN JUSTICE COURT**
8 **COUNTY OF MARICOPA, STATE OF ARIZONA**
9 18380 N. 40th Street, Phoenix, AZ 85032
10

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

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12 prejudgment interest from November 7, 2011;
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15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

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19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
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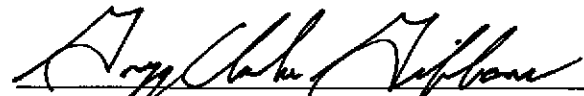
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
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DECLARATION

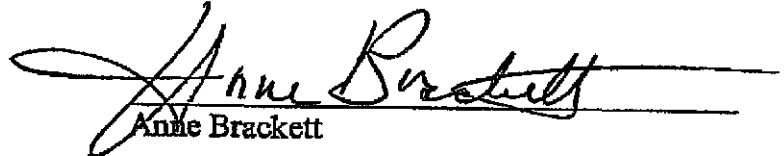
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

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6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

MCOWELL HOUSE
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

AFFIDAVIT OF

ATTEMPTED SERVICE

Defendants.

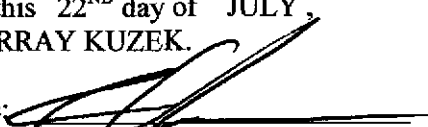
1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

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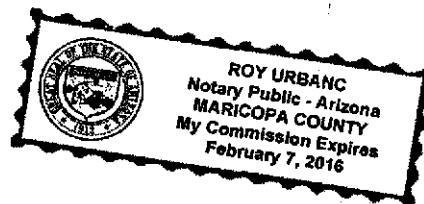
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7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
PAYMENT	CHECK 1565	\$25.00
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

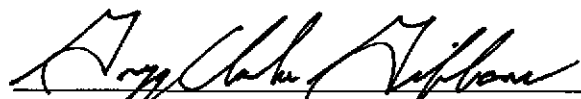
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons

8 **GREGG CLARKE GIBBONS, P.C.**

9 8355 E. Hartford Drive, Suite 201

10 Scottsdale, Arizona 85255

11 Attorney for Plaintiff
12
13
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DECLARATION

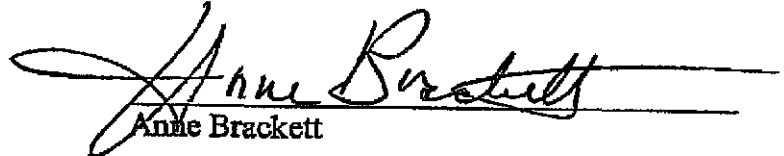
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

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McDOWELL HALL
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

) Case No: CV2014-112576

i

)

1

1

**AFFIDAVIT OF
ATTEMPTED SERVICE**

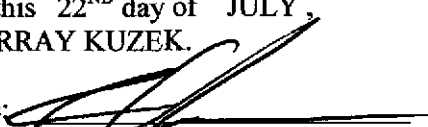
1. I, MURRAY KUZEK, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

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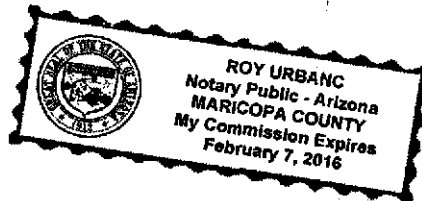
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7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
PAYMENT	CHECK 1565	\$25.00
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 **McDOWELL MOUNTAIN JUSTICE COURT**
9 **COUNTY OF MARICOPA, STATE OF ARIZONA**
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,

13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

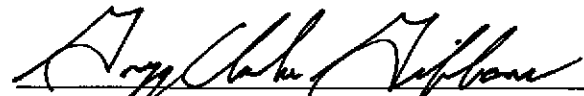
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
12
13
14
15
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DECLARATION

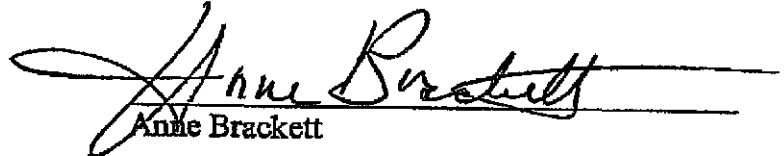
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

McDOWELL HON. CLERK
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

) **AFFIDAVIT OF**
) **ATTEMPTED SERVICE**

QUAD RESOURCES, L.L.C.,
JAMES E. ACRIDGE and JANE
DOE ACRIDGE, Husband and Wife

Defendants.

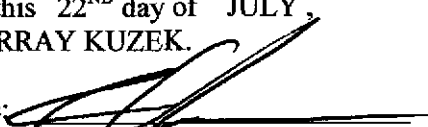
1. I, MURRAY KUZЕК, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

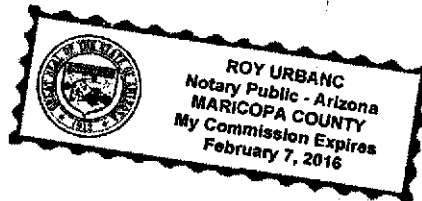
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
	PAYMENT	
Balance Due: \$		0.00

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION



04777825
Executive Director

PATRICIAL BARFIELD
Director
Corporations Division

Date 07/23/2014

QUAD RESOURCES, L.L.C.
31009 N 42ND WAY
CAVE CREEK, AZ 85331

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 07/23/2014 as agent for **QUAD RESOURCES, L.L.C.** :

Case caption: **W.L. WALKER CO INC v. QUAD RESOURCES LLC et al,**
Case number: **CC2014112576** Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN JUSTICE COURT**

- ☒ Summons
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- ☐ Default Judgment
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- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.
Lynda B. Griffin
Custodian of Records

Initials **PTG**
File number **L16274967**

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **07/22/2014**

I, **PETER GRAHAM** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **23RD** day of **JULY**, **2014**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **QUAD RESOURCES, L.L.C.** .

Case caption: **W. L .WALKER CO;, INC** v. **QUAD RESOURCES , LLC et al,**
Case number: **CC2014112576**
Court: **MARICOPA COUNTY, MCDOWELL MOUNTAIN SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
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| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **23RD** day of **JULY**, **2014**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

QUAD RESOURCES, L.L.C.

at its last known place of business as follows:

31009 N 42ND WAY
CAVE CREEK, AZ 85331

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **07/23/2014**

(signature) _____

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
5 (480) 443-8109 - FAX (480) 991-8934
6 giblaw@mindspring.com

7 *Attorney for Plaintiff*

8 McDOWELL MOUNTAIN JUSTICE COURT
9 COUNTY OF MARICOPA, STATE OF ARIZONA
10 18380 N. 40th Street, Phoenix, AZ 85032

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.
16 JAMES E. ACRIDGE and JANE
17 DOE ACRIDGE, Husband and Wife,
18 Defendant.

CC2014112576

SUMMONS

19 THE STATE OF ARIZONA TO THE DEFNDANT(S):

20 Quad Resources, L.L.C.

21 Statutory Agent Ross A. Monaco

22 10084 E. Calle De Cielo Cir.

23 Scottsdale, AZ 85258

24 **YOU ARE HEREBY SUMMONED** to respond to this Complaint by filing an
25 answer with this Court and paying the Court's required fee. If you cannot afford to
26 pay the required fee, you may request the Court to waive or to defer the fee.

1 If you were served with this summons in the State of Arizona, the Court must
2 receive your answer to the Complaint within twenty (20) calendar days from the date
3 you were served. If you were served outside the State of Arizona, the Court must
4 receive your answer to the Complaint within thirty (30) days from the date of service.
5 If the last day is a Saturday, Sunday or holiday, you will have until the next working
6 day to file your answer. When calculating time, do not count the day you were served
7 with the summons.

8 The Court is located at: 18380 N. 40th Street, Phoenix, AZ 85032

9 Your answer must be in writing. (a) You may obtain an answer form from the
10 court listed above, or on the Self-Service Center of the Arizona Judicial Branch
11 website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may
12 visit <http://www.azturbocourt.gov/> to fill in your answer form electronically; this
13 requires payment of an additional fee. (c) You may also prepare your answer on a
14 plain sheet of paper, but your answer must include the case number, the court location,
15 and the names of the parties.

16 You must provide a copy of your answer to the Plaintiff or the Plaintiff's
17 attorney.

18 The name and address of Plaintiffs' Attorney is:

19 Gregg Clarke Gibbons #009097
20 **GREGG LARKE GIBBONS, P.C.**
21 8355 E. Hartford Drive, Suite 201
22 Scottsdale, Arizona 85255

23 IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE
24 TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED
25 AGAINST YOU, AS REQUESTED IN THE PLAINTIFF'S COMPLAINT.
26

JUN 27 2014

DATE: _____

Michael Reagan

Judge's Signature (COURT SEAL)

**REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE
BEFORE A COURT PROCEEDING.**

11

1 Gregg Clarke Gibbons, #009097
2 **GREGG CLARKE GIBBONS, P.C.**
3 8355 E. Hartford Drive, Suite 201
4 Scottsdale, Arizona 85255
(480) 443-8109 - FAX (480) 991-8934
giblaw@mindspring.com

5 *Attorney for Plaintiff*

6
7 **McDOWELL MOUNTAIN JUSTICE COURT**
8 **COUNTY OF MARICOPA, STATE OF ARIZONA**
9 18380 N. 40th Street, Phoenix, AZ 85032
10

11 W.L. WALKER CO., INC., an
12 Oklahoma corporation,
13 Plaintiff,

14 v.

15 QUAD RESOURCES, L.L.C.,
16 JAMES E. ACRIDGE and
CHRISTINE V. ACRIDGE,
Husband and Wife,

17 Defendants,

CC 2014112576

COMPLAINT

18 Plaintiff, W. L. Walker, Co., Inc. ("Plaintiff"), by and through its attorney
19 undersigned alleges as follows:

20 **ALLEGATIONS TO ALL COUNTS**

- 21
- 22 1. Plaintiff is an Oklahoma corporation authorized to do business in Arizona.
 - 23 2. Upon information and belief, Defendant Quad Resources, L.L.C. ("Quad
24 Resources") is an Arizona corporation that does business within Maricopa County,
25 Arizona, and which caused events to occur in Maricopa County, Arizona out of which
26

1 these claims arise.

2 3. Upon information and belief, the events complained of by Defendants James
3 E. Acridge and Christine V. Acridge ("Defendants Acridge") were done on behalf of their
4 marital community.
5

6 4. This court has jurisdiction over this matter, and venue is proper before this
7 court.
8

9 5. Each Defendant was acting for, and on behalf of, and as an agent, employee
10 and/or representative of each of the other individual Defendants, with the knowledge,
11 permission and consent of each of the other Defendants, as well as acting for and on
12 behalf of the various named Defendant partnerships or corporations, which partnerships,
13 corporations or other Defendants are liable to Plaintiff, either directly or by way of
14 *respondeat superior* or principles of agency.
15

16 **COUNT ONE**
17 **(Open Account)**

18 6. Plaintiff realleges all allegations contained in paragraphs 1 through 5 and
19 incorporates same by reference as if fully set forth herein.

20 7. Plaintiff and Defendants entered into an agreement for Plaintiff to provide
21 goods and/or services to Defendants, and Defendants agreed to pay for the goods and/or
22 services, specifically five (5) centrifuges.
23

24 8. Plaintiff shipped the centrifuges to Defendants on November 3, 2011 and
25 they were received by Defendants on November 7, 2011.
26

9. The cost of the centrifuges plus shipping totaled: \$10,211.05. Defendants directed Plaintiff to pay for the centrifuges by charging Defendants' personal credit card, the account number ends in 5998.

10. Plaintiff ran the charge after delivery of the goods and payment was declined. Approval was sought several times to charge the amount due and it was declined each time.

11. Plaintiff demanded return of the centrifuges and was informed by Defendants they were already in use on the company trucks. Defendants refused to return the centrifuges.

12. There is currently due and owing from Defendants to Plaintiff the sum of \$9,391.25, plus prejudgment interest from November 7, 2011.

13. Plaintiff is entitled to an award of reasonable attorney's fees and costs pursuant to A.R.S. § 12-341.01 and § 12-341, respectively, because this matter arises out of contract.

COUNT TWO
(Quantum Meruit)

14. Plaintiff realleges all allegations contained in paragraphs 1 through 13 and incorporates same by reference as if fully set forth herein.

15. If for some reason this court finds that Defendants did not enter into an express contract to pay Plaintiff for the value received, then to the extent of the reasonable value of the benefit received by Defendants plus prejudgment interest at the legal rate, the

1 Defendants should be held accountable to Plaintiff on the grounds that they would
2 otherwise unjustly benefit and Plaintiff would unjustly suffer a loss.

3
4 16. Therefore Defendants are liable to Plaintiff for the reasonable value of the
5 benefit conferred upon them by Plaintiff, as well as costs and attorney's fees incurred.

6 17. Plaintiff is entitled to attorney's fees in the amount of \$1,500 in the event
7 judgment is entered by default.

8
9 **COUNT THREE**
10 **(Conversion)**

11 18. Plaintiff realleges all allegations contained in paragraph 1 through 17 and
12 incorporates same by reference as if truly set forth herein.

13 19. Demand has been made upon Defendants, and each of them, for delivery of
14 the five (5) centrifuges, but Defendants, and each of them, have failed and/or refused to
15 deliver the centrifuges to Plaintiff. Defendants are wrongfully detaining the property from
16 Plaintiff and have converted the centrifuges to their use or benefit, the property belonging
17 to Plaintiff.

18
19 **COUNT FOUR**
20 **(Secondary Liability)**
21 **(James E. Acridge and Christine V. Acridge)**

22 20. Plaintiff realleges all allegations contained in paragraph 1 through 19 and
23 incorporates same by reference as if truly set forth herein.

24
25 21. Defendant James E. Acridge acted in concert, in connection with, conspired
26 in, caused, participated in, acquiesced in, or ratified the torts and actionable conduct of

1 Defendant Quad Resources.

2 23. Accordingly, Defendant James E. Acridge is jointly and severally liable
3 with Defendant Quad Resources for the damages caused to Plaintiff.
4

5 24. Defendant Christine V. Acridge is liable insofar as Defendant James E.
6 Acridge is liable, and to the extent of Defendant Jane Doe Acridge's interest in
7 community property.
8

9 **WHEREFORE**, Plaintiff prays for judgment to be entered in favor of Plaintiff and
10 against Defendants, and each of them, as follows:

11 1. For the principal amount due and owing of \$9,391.25 under Count One, plus
12 prejudgment interest from November 7, 2011;
13

14 2. For all amounts due and owing under Count Two for reasonable value of the
15 goods and/or services provided by Plaintiff to Defendants, plus prejudgment interest;

16 3. For the principal amount due and owing of \$9,391.25 under Count Three,
17 plus prejudgment interest from November 7, 2011;
18

19 4. For the principal amount due and owing of \$9,391.25 under Count Four,
20 plus prejudgment interest from November 7, 2011;

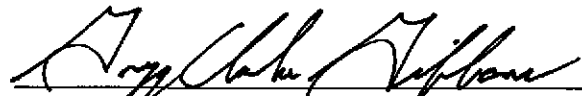
21 5. For pre and post judgment interest at the legal rate as allowed by law;

22 6. For Plaintiff's attorney fees and costs pursuant to A.R.S. 12-341.01 and 12-
23 341, respectively;
24

25 7. For attorney's fees in the amount of \$1,500 should judgment be entered by
26 default; and

1 8. For such other and further relief as the Court deems just and proper.
2

3 Dated this 26th day of June, 2014.
4

5
6 

7 Gregg Clarke Gibbons
8 **GREGG CLARKE GIBBONS, P.C.**
9 8355 E. Hartford Drive, Suite 201
10 Scottsdale, Arizona 85255
11 Attorney for Plaintiff
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DECLARATION

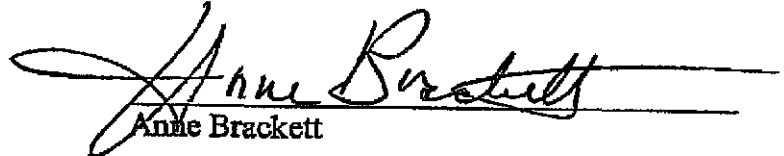
I, Anne Brackett, declare, pursuant to Ariz.R.Civ.P. 80(i):

1. I am the President of W. L. Walker, Co., Inc., Plaintiff, am over the age of 18 and have personal knowledge of the facts stated therein.

2. The facts as stated in the Complaint are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 24, 2014


Anne Brackett



Christy R. Davis
6-24-14

Notice to the Defendant: A lawsuit has been filed against you in justice court. You have rights and responsibilities in this lawsuit. Read this notice carefully.

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend may not represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an office of the corporation, and a limited liability company ("LLC") may be represented by a managing member. A corporation or an LLC may also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRC") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant". You must file an answer or other response to the plaintiff's complaint in writing and within twenty (20) days from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state). If you do not file an answer within this time, the plaintiff may ask the court to enter a "default" and a "default judgment" against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturbocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you may also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

MCOWELL HOUSE
JUSTICE COURT
FILED

McDOWELL MOUNTAIN JUSTICE COURT
COUNTY OF MARICOPA, STATE OF ARIZONA

Case No: CV2014-112576

AFFIDAVIT OF

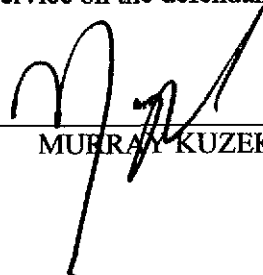
ATTEMPTED SERVICE

Defendants.

1. I, MURRAY KUZЕК, Process Server, License Number 8090, being duly sworn, upon oath, state:
2. That I have personal knowledge of the facts set forth in this Affidavit of Attempted Service and believe them to be true and correct.
3. That on JUNE 28TH, 2014, at 5:26 PM, I attempted service on ROSS A. MONACO, (STATUTORY AGENT), JAMES ACRIDGE and CHRISTINE ACRIDGE at the residence located at 10084 E. CALLE DE CIELO CIRCLE, SCOTTSDALE, ARIZONA 85258 and received no answer. I noticed furniture inside the house.
4. That on JUNE 30th, 2014, at 8:02 PM I attempted service at the Scottsdale address and received no answer. That there were no lights on inside the house and nothing on the property had changed since my previous attempt.
5. That on JULY 2nd, 2014 at 2:00 PM I attempted service and received no answer. That I went next door to houses 10082 and 10086 and received no answer. I went across the street to house 10085 and talked to a man who stated that there is no one living in this house right now. He further stated that it is a rental house and is owned by Randy West

and he rents it out seasonally. This man also stated that the next door neighbors to this house are out of town and one lives in Colorado and the other in Canada.

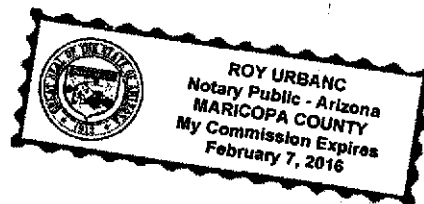
6. That on JULY 2nd, 2014, at 2:43 PM I attempted service on Ross Monaco at 31009 N 42nd WAY, CAVE CREEK, ARIZONA 85331 and I received no answer. That I noticed a Fed-Ex package at the door addressed to ROSS ANTHONY MONACO and posted on the door is a disconnect notice from Cox for non-payment. I went next door to house 31013 and received no answer. I went across the street to house 31004 and talked to a man who stated that Ross Monaco packed up all of the house furniture into a moving truck one month ago and left. He said this house is vacant. No forwarding address.
7. That I checked Maricopa County Assessors for this address which revealed the registered owners at Tammy and Marc Lucas.
8. That on JULY 7th, 2014, at 3:00 PM I attempted service at the business address for QUAD RESOURCES located at 8145 E. EVANS, SUITE 4, SCOTTSDALE, ARIZONA and found the office locked with no access. I went next door to #3 and talked to a man who said he has not seen anyone at the office in months. I went to the next door office at #2 and talked to a lady and a man who said that QUAD moved out three months ago and left no forwarding address. .
9. That I make this affidavit in support of alternative service on the defendants.


MURRAY KUZEK

STATE OF ARIZONA)
County of Maricopa)
SUBSCRIBED AND SWORN
to before me this 22ND day of JULY,
2014 by MURRAY KUZEK.

Notary Public: 

Notary Expiration Date: 2-7-16



Corporate Maintenance

07/23/2014

State of Arizona Public Access System

1:36 PM

File Number: L-1627496-7

Corp. Name: QUAD RESOURCES, L.L.C.

Domestic Address

% ROSS A MONACO
31009 N 42ND WAY

CAVE CREEK, AZ 85331

Second Address

Agent: ROSS A MONACO

Status: APPOINTED 08/12/2013

Mailing Address:

31009 N 42ND WAY

CAVE CREEK, AZ 85331

Agent Last Updated: 08/14/2013

Business Type:

Domicile: ARIZONA

County: MARICOPA

Corporation Type: DOMESTIC L.L.C.

Life Period: PERPETUAL

Incorporation Date: 09/16/2010

Approval Date: 09/21/2010

Last A/R Received: /

Date A/R Entered:

Next Report Due:

NO CORPORATIONS RECORD FOUND FOR THIS FILE NUMBER. (A010)

MURRAY Kuzek,

CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: PGRAHAM
Invoice No.: 4539339

Check Batch:
Invoice Date: 07/23/2014
Date Received: 07/23/2014
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1627496-7 QUAD RESOURCES, L.L.C.	\$25.00
Total Documents: \$		25.00
	CHECK 1565	\$25.00
	PAYMENT	
Balance Due: \$		0.00

