AZ Corp. Commission

05470873

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

ARIZONA CORPORATION COMMISSION

Date **04/13/2016**

ARIZONA SPORTS & REHABILITATION CENTER, LLC
5745 N SCOTTSDALE RD STE B100
SCOTTSDALE, AZ 85250

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on **04/12/2016** as agent for **ARIZONA SPORTS & REHABILITATION CENTER, LLC**:

Case caption: **TARA RAYBURN** v. **ARIZONA SPORTS & REHABILITATION CENTER, LLC et.al,**
Case number: **CV2016-003834** Court: **MARICOPA COUNTY, SUPERIOR COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☒ Other **CERTIFICATE OF COMPULSORY ARBITRATION**

Sincerely,

Lynda B. Griffin
Custodian of Records

Initials **WB**
File number **L-1093925-1**

Rec08.doc
Rev 10/09

ARIZONA CORPORATION COMMISSION

CERTIFICATE OF MAILING

The undersigned person certifies the following facts:

On **04/12/2016**, **WALTER BRICENO** , an employee of the Arizona Corporation Commission ("ACC"), received on behalf of the ACC service of the following documents upon the ACC as agent for **ARIZONA SPORTS & REHABILITATION CENTER, LLC.**

Case caption: **TARA RAYBURN** v. **ARIZONA SPORTS & REHABILITATION CENTER, LLC et.al,**
Case number: **CV2016-003834**
Court: **MARICOPA COUNTY, SUPERIOR COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☒ Other **CERTIFICATE OF COMPULSORY ARBITRATION**
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment

On **04/13/2016**, the undersigned person placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to the entity at its last known place of business address, as follows:

ARIZONA SPORTS & REHABILITATION CENTER, LLC
5745 N SCOTTSDALE RD STE B100
SCOTTSDALE, AZ 85250

OR

The undersigned 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.

Printed name: **WALTER BRICENO** Date: **04/13/2016**

Signature: Walter Briceno

Larry A. Zier, Esq., SBN 017090
LAW OFFICE OF LARRY A. ZIER, P.C.
7339 East Sixth Avenue
Scottsdale, AZ 85251
(480) 990-8783
minuteentries@zierlaw.com

Attorney for Plaintiff

IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

TARA RAYBURN, Plaintiff, vs. ARIZONA SPORTS & REHABILITATION CENTER, LLC, an Arizona corporation; WENDY WEISFLOG, D.C. and JOHN DOE WEISFLOG, wife and husband; BLUE CROSS BLUE SHIELD OF MINNESOTA; JOHN DOES I-X, ABC CORPORATIONS I-X; and BLACK and WHITE PARTNERSHIPS and/or SOLE PROPRIETORSHIPS, I-X, Defendants.	NO. CV2016-003834 **SUMMONS** If you would like legal advice from a lawyer, Contact the Lawyer Referral Service at 602-257-4434 or www.maricopalawyers.org Sponsored by the Maricopa County Bar Association

The State of Arizona to: **ARIZONA SPORTS & REHABILITATION CENTER, LLC, an Arizona corporation;**

WENDY WEISFLOG, D.C. and JOHN DOE WEISFLOG, wife and husband;

BLUE CROSS BLUE SHIELD OF MINNESOTA;

JOHN DOES and JANE DOES I-X; ABC CORPORATIONS I-X; and BLACK and WHITE PARTNERSHIPS and/or SOLE PROPRIETORSHIPS, I-X,

YOU ARE HEREBY SUMMONED and required to appear and defend, within the time applicable, in this action in this Court. If served within Arizona, you shall appear and defend within twenty (20) days after the service of the Summons and Complaint upon you, exclusive of the day of service. Where process is served upon the Arizona Director of Insurance as an insurer's attorney to receive service of legal process against it in this state, the insurer shall not be required to appear, answer or plead until expiration of forty (40) days after date of such service upon the Director. Service by registered or certified mail without the State of Arizona is complete thirty (30) days after the date of filing the receipt and affidavit of service with the

Court. Service by publication is complete thirty (30) days after the date of first publication. Direct service is complete when made. Service upon the Arizona Motor Vehicle Superintendent is complete thirty (30) days after filing the Affidavit of Compliance and return receipt or officer's return. RCP 4; A.R.S. §§ 20-232, 28-502, 28-503.

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case by parties at least three (3) judicial days in advance of a scheduled court proceeding.

YOU ARE HEREBY NOTIFIED that in the case of your failure to appear and defend within the time applicable, judgment by default may be rendered against you for the relief demanded in the Complaint.

YOU ARE CAUTIONED that in order to appear and defend, you must file an Answer or proper response in writing with the Clerk of this Court, accompanied by the necessary filing, within the time required, and you are required to serve a copy of any Answer or response upon Plaintiff's attorney. R.C.P. 10(d), A.R.S. § 12-311, R.C.P. 9.

The name and address of Plaintiff's attorney is

Larry A. Zier, Esq.
LAW OFFICE OF LARRY A. ZIER, P.C.
7339 East Sixth Avenue
Scottsdale, AZ 85251
(480) 990-8783

Given under my hand and seal of office this ___ day of March, 2016.

COPY

Clerk of the Superior Court

MAR 15 2016

MICHAEL K. JEANES, CLERK
L. GROENEVELD
DEPUTY CLERK

COPY

MAR 15 2016

MICHAEL K. JEANES, CLERK
L. GROENEVELD
DEPUTY CLERK

Larry A. Zier, Esq., SBN 017090
LAW OFFICE OF LARRY A. ZIER, P.C.
7339 East Sixth Avenue
Scottsdale, AZ 85251
(480) 990-8783
minuteentries@zierlaw.com

Attorney for Plaintiff

IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

TARA RAYBURN, Plaintiff, vs. ARIZONA SPORTS & REHABILITATION CENTER, LLC, an Arizona corporation; WENDY WEISFLOG, D.C. and JOHN DOE WEISFLOG, wife and husband; BLUE CROSS BLUE SHIELD OF MINNESOTA; JOHN DOES I-X, ABC CORPORATIONS I-X; and BLACK and WHITE PARTNERSHIPS and/or SOLE PROPRIETORSHIPS, I-X, Defendants.	No. CV2016-003834 **COMPLAINT** **(Declaratory Judgment)**

Plaintiff alleges as follows:

1. Plaintiff TARA RAYBURN, is a resident of Maricopa County, Arizona. The acts out of which this cause of action arose occurred in Maricopa County, Arizona.

2. At all times relevant, Defendant ARIZONA SPORTS & REHABILITATION CENTER, LLC (hereinafter referred to as "AZ SPORTS & REHAB"), was an Arizona corporation doing business in Maricopa County, Arizona.

3. Defendants WENDY WEISFLOG, D.C. and JOHN DOE WEISFLOG, wife and husband, at all times material herein, were residents of Maricopa County, Arizona. The acts out of which this cause of action arose occurred in Maricopa County, Arizona.

4. Defendants WENDY WEISFLOG, D.C. and JOHN DOE WEISFLOG, wife and husband, were at all times mentioned herein, acting for and on behalf of their marital community.

5. Defendant BLUE CROSS BLUE SHIELD OF MINNESOTA. (hereinafter referred to as "BLUE CROSS ") is an insurer, and issued an individual insurance policy (hereinafter referred to as "THE POLICY") to Plaintiff. Plaintiff was an insured under THE POLICY and was also a direct beneficiary under the contract.

6. The true names or capacities, whether individual, corporate, associate, or otherwise, of Defendants JOHN DOES I-X, ABC CORPORATIONS I-X; and BLACK and WHITE PARTNERSHIPS and/or SOLE PROPRIETORSHIPS, I-X, are unknown to Plaintiff, who therefore sues said Defendants by such fictitious names. Plaintiff is informed and believes and therefore alleges that each of the defendants designated herein is legally responsible in some manner for the events and happenings herein referred to, and legally caused injury and damages proximately thereby to Plaintiff as herein alleged.

7. That at all times herein mentioned, Defendants, and each of them, were the agents and employees of each of the remaining Defendants, and were at all times acting within the purpose and scope of said agency and employment, and each Defendant has ratified and approved the acts of his agent.

8. On or about October 7, 2013, Plaintiff was involved in a motor vehicle collision and sustained injuries for which she required medical treatment and incurred medical expenses.

9. Plaintiff sought treatment from Defendants as a result of her injuries.

10. Defendants charged certain fees for their services, the responsibility for some or a portion of which, Plaintiff contests.

11. Plaintiff has attempted to negotiate a resolution of this matter with Defendants, without success. Plaintiff is ready, willing and able to pay any reasonable sums due and owing, as this Court might deem appropriate.

12. Plaintiff desires a judicial determination of the rights and obligations of all parties hereto, with respect to the amount of money, if any, owed by Plaintiff to Defendants.

13. Plaintiff sought treatment of her injuries from AZ SPORTS & REHAB and WENDY WEISFLOG. Such treatment consisted of diagnostic, medical and related services.

14. AZ SPORTS & REHAB and WENDY WEISFLOG charged certain fees and charges for its services, the reasonableness of some or a portion of which, or responsibility for some or a portion of which Plaintiff contests.

15. Defendant BLUE CROSS is a health insurance carrier or network which alleges that it has paid for certain treatment, on behalf of Plaintiff, as a result of the injuries she sustained in the subject motor-vehicle accident. Defendant BLUE CROSS has asserted a lien upon the proceeds of any settlement or recovery by plaintiff, as well as other rights to reimbursement. Plaintiff disputes all or a portion of the claim(s) of BLUE CROSS, as well as its entitlement, if any, to all or a part of her settlement proceeds or recovery.

16. Plaintiff has attempted to negotiate a solution to this matter with AZ SPORTS & REHAB and WENDY WEISFLOG without success. Plaintiff is ready, willing and able to pay any reasonable sums due and owing, as this Court might deem appropriate.

17. Plaintiff desires a judicial determination of the rights and obligations of all parties hereto, with respect to the amount of money, if any, owed by Plaintiff to Defendant AZ SPORTS & REHAB and WENDY WEISFLOG .

WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as follows:

A. Plaintiff is seeking a Declaration as to the respective rights and obligations of the parties hereto, including the sum if any, to which Defendant is entitled;

///

///

///

B. For reasonable attorney's fees and costs; and

C. For such other and further relief as the Court deems just and proper.

DATED this 15th day of ~~February~~ March, 2016.

LAW OFFICE OF LARRY A. ZIER, P.C.

By _____
Larry A. Zier, Esq.
Attorney for Plaintiff

Larry A. Zier, Esq., SBN 017090
LAW OFFICE OF LARRY A. ZIER, P.C.
7339 East Sixth Avenue
Scottsdale, AZ 85251
(480) 990-8783
minuteentries@zierlaw.com

Attorney for Plaintiff

IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

TARA RAYBURN, Plaintiff, vs. ARIZONA SPORTS & REHABILITATION CENTER, LLC, an Arizona corporation; WENDY WEISFLOG, D.C. and JOHN DOE WEISFLOG, wife and husband; BLUE CROSS BLUE SHIELD OF MINNESOTA; JOHN DOES I-X, ABC CORPORATIONS I-X; and BLACK and WHITE PARTNERSHIPS and/or SOLE PROPRIETORSHIPS, I-X, Defendants.	Case No. CV2016-003834 **CERTIFICATE OF COMPULSORY ARBITRATION**

The undersigned certifies that he or she knows the dollar limits and any other limitations set forth by the local rules of practice for the applicable superior court, and further certifies that this case **IS NOT** subject to compulsory arbitration, as provided by Rules 72 through 76 of the Arizona Rules of Civil Procedure.

DATED this 15th day of March, 2016.

LAW OFFICE OF LARRY A. ZIER, P.C.

By _____
Larry A. Zier, Esq.
Attorney for Plaintiff

DL Investigations & Attorney Support LLC
7501 N. 16th Street, Suite 200
Phoenix, AZ 85020
(602) 285-9901

Inv. # 110541

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

TARA RAYBURN

Plaintiff / Petitioner,

vs.

ARIZONA SPORTS & REHABILITATION CENTER, LLC, ET AL.,

Defendant / Respondent.

NO. **CV2016-003834**

CERTIFICATE OF NON-SERVICE OF PROCESS BY A PRIVATE PERSON

Stephane Garcia, the undersigned certifies under penalty of perjury: That I am fully qualified pursuant to RCP 4 (d), 4 (e), 45 (b) and/or ARS 13-4072, to serve process in this case, and received for service the following documents in this action:

SUMMONS & COMPLAINT, CERTIFICATE OF ARBITRATION

from **Larry A. Zier c/o LAW OFFICE OF LARRY A. ZIER** on **3/30/16** ;

Affiant states that I made due and diligent search within Maricopa County, Arizona, by performing each of the acts set forth below, indicated by 'X' and that s/he has been unable to locate the defendant(s) named below within Maricopa County, Arizona:

NAMED DEFENDANTS: **ARIZONA SPORTS & REHABILITATION CENTER, LLC c/o Wendy Weisflog**

- [ ] Searched local telephone directories and Information Service
- [ ] Inquired of the U.S. Post Office concerning forwarding address
- [X] Inquired of last known residence of defendants
- [X] Inquired of neighbors at last known residence
- [X] Other:

4/1/16@1:28pm 825 N. 85th Place, Scottsdale, 85257 No answer at this time. There was a vehicle in the drive with AZ license plates BAE-0315. 4/3/16@7:03pm I spoke to the occupant who said they bought the home three years ago from Wendy Weisflog. 4/7/16@6:36pm No answer at this time. The same vehicle was in the drive. I spoke to a neighbor who confirmed that the Weisflogs moved out over two years ago. I called the client and updated. Per client, serve Arizona Corporation Commission.

Statement of Costs

Services	
Mileage	
Sp. Handl.	
Witness	
Advances	
Cert. Prep	$10.00
Other	
Total	$10.00

Affiant - Registered in Maricopa County

The above is covered by A.R.S. as amended 41-314 & 11-45 and Rules 4, 5 and 45.

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

User Id: WBRICENO
Invoice No.: 5035656

Check Batch:
Invoice Date: 04/12/2016
Date Received: 04/12/2016
Customer No.:

ATTN:
(CASH CUSTOMER)

Quantity	Description	Amount
1	SERVICE OF PROCESS L-1093925-1 ARIZONA SPORTS & REHABILITATION CENTER,	$25.00

Total Documents: $ 25.00

CHECK 1947 $25.00
PAYMENT

Balance Due: $ 0.00

Corporate Inquiry

04/12/2016 State of Arizona Public Access System 3:12 PM

File Number: L-1093925-1

Corp. Name: ARIZONA SPORTS & REHABILITATION CENTER, LLC

Domestic Address
5745 N SCOTTSDALE RD STE B100

SCOTTSDALE, AZ 85250

Second Address

Agent: WENDY A WEISFLOG
Status: APPOINTED 09/09/2003
Mailing Address:
825 N 85TH PL

SCOTTSDALE, AZ 85257
Agent Last Updated: 09/15/2003

Business Type:

Domicile: ARIZONA
County: MARICOPA
Corporation Type: DOMESTIC L.L.C.
Life Period: PERPETUAL
Incorporation Date: 09/09/2003
Approval Date: 09/09/2003
Last A/R Received: /
Date A/R Entered:
Next Report Due:

RECORD(S) SUCCESSFULLY UPDATED. (A066)

Geoff Roberts