

1 Keith Beauchamp (012434)  
2 Roopali H. Desai (024295)  
3 D. Andrew Gaona (028414)  
4 **COPPERSMITH BROCKELMAN PLC**  
5 2800 North Central Avenue, Suite 1900  
6 Phoenix, Arizona 85004  
7 T: (602) 224-0999  
8 kbeauchamp@cblawyers.com  
9 rdesai@cblawyers.com  
10 agaona@cblawyers.com  
11 *Attorneys for Plaintiff*

12 **ARIZONA SUPERIOR COURT**  
13 **MARICOPA COUNTY**

14 AMERICAN OVERSIGHT, ) No. CV2021-008265  
15 )  
16 Plaintiff, ) **APPLICATION FOR ENTRY OF**  
17 ) **DEFAULT**  
18 v. )  
19 ) (Tier 2)  
20 KAREN FANN, et al. ) (Assigned to the Hon. Michael W. Kemp)  
21 )  
22 Defendants, and )  
23 )  
24 CYBER NINJAS, INC., )  
25 )  
26 Real Party in Interest. )

1 Pursuant to Rule 55, Arizona Rules of Civil Procedure, Plaintiff American Oversight  
2 respectfully request that the Court enter the default of Real Party in Interest Cyber Ninjas, Inc.  
3 (“Cyber Ninjas”). In support of this Application, counsel for Plaintiff represents as follows:  
4  
5 1. On December 16, 2021, Plaintiff served the Second Amended Special Action  
6 Complaint (“SAC”) upon Cyber Ninjas, via AZTurboCourt at the time of filing the SAC.  
7 Additionally, a copy of the SAC was hand-delivered Cyber Ninjas’ attorney of record Jack  
8 Wilenchik on December 16, 2017. *See* Affidavit in Support of Application for Entry of Default  
9 attached hereto as Exhibit A.



1 RESPECTFULLY SUBMITTED this 7th day of January, 2022.

2 **COPPERSMITH BROCKELMAN PLC**

3 By: /s/ Keith Beauchamp

4 Keith Beauchamp

5 Roopali H. Desai

6 D. Andrew Gaona

*Attorneys for Plaintiff*

7 ORIGINAL of the foregoing efiled and  
8 COPY sent by email on January 7, 2022, to:

9 Honorable Michael W. Kemp

Lena.Hertel@JBAZMC.Maricopa.gov

10 Dennis I. Wilenchik

John D. Wilenchik

11 Jordan C. Wolff

Wilenchik & Bartness, P.C.

12 2810 North Third Street

Phoenix 85003

13 admin@wb-law.com

jackw@wb-law.com

14 *Attorneys for Cyber Ninjas, Inc.*

15 Kory Langhofer

kory@statecraftlaw.com

16 Thomas Basile

tom@statecraftlaw.com

17 Statecraft PLLC

649 North Fourth Avenue, First Floor

18 Phoenix, Arizona 85003

*Attorneys for the Senate Defendants*

19  
20 /s/ Verna Colwell

**Exhibit A**

# **Exhibit A**

1 Keith Beauchamp (012434)  
2 Roopali H. Desai (024295)  
3 D. Andrew Gaona (028414)  
4 **COPPERSMITH BROCKELMAN PLC**  
5 2800 North Central Avenue, Suite 1900  
6 Phoenix, Arizona 85004  
7 T: (602) 224-0999  
8 kbeauchamp@cblawyers.com  
9 rdesai@cblawyers.com  
10 agaona@cblawyers.com  
11 *Attorneys for Plaintiff*

12 **ARIZONA SUPERIOR COURT**  
13 **MARICOPA COUNTY**

11 AMERICAN OVERSIGHT,	)	No. CV2021-008265
	)	
12 Plaintiff,	)	<b>AFFIDAVIT IN SUPPORT OF</b>
	)	<b>APPLICATION FOR ENTRY OF</b>
13 v.	)	<b>DEFAULT</b>
	)	
14 KAREN FANN, et al.	)	(Tier 2)
	)	
15 Defendants, and	)	(Assigned to the Hon. Michael W. Kemp)
	)	
16 CYBER NINJAS, INC.,	)	
	)	
17 Real Party in Interest.	)	
18	)	

19 I, Keith Beauchamp, declare as follows:

20 1. I am an attorney for Plaintiff herein and file this Affidavit in accordance with  
21 Rule 55, Arizona Rules of Civil Procedure.

22 2. On December 16, 2021, Plaintiff served the Second Amended Special Action  
23 Complaint ("SAC") upon Cyber Ninjas, via AZTurboCourt at the time of filing the SAC. On  
24 December 16, 2021, Plaintiff also caused the SAC to be hand-delivered to Cyber Ninjas' attorney  
25 of record, Wilenchik & Bartness, PC. [*See Receipts attached as Exhibit 1.*]



1 Dennis I. Wilenchik  
John D. Wilenchik  
2 Jordan C. Wolff  
Wilenchik & Bartness, P.C.  
3 2810 North Third Street  
Phoenix 85003  
4 [admin@wb-law.com](mailto:admin@wb-law.com)  
[jackw@wb-law.com](mailto:jackw@wb-law.com)  
5 *Attorneys for Cyber Ninjas, Inc.*

6 Kory Langhofer  
[kory@statecraftlaw.com](mailto:kory@statecraftlaw.com)  
7 Thomas Basile  
[tom@statecraftlaw.com](mailto:tom@statecraftlaw.com)  
8 Statecraft PLLC  
649 North Fourth Avenue, First Floor  
9 Phoenix, Arizona 85003  
*Attorneys for the Senate Defendants*

10

11 */s/ Verna Colwell*

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

# Exhibit 1

Exhibit 1



**From:** TurboCourt Customer Service  
**To:** Yerna Colwell; Naomi Jorgensen  
**Subject:** AZTurboCourt E-Filing Courtesy Notification  
**Date:** Thursday, December 16, 2021 11:08:15 AM

---

[EXTERNAL SENDER]

PLEASE DO NOT REPLY TO THIS EMAIL.

A party in this case requested that you receive an AZTurboCourt Courtesy Notification.

AZTurboCourt Form Set #6368137 has been delivered to Maricopa County - Superior Court.

You will be notified when these documents have been processed by the court.

Here are the filing details:

Case Number: CV2021008265 (Note: If this filing is for case initiation, you will receive a separate notification when the case # is assigned.)

Filed By: Keith Beauchamp

AZTurboCourt Form Set: #6368137

Delivery Date and Time: Dec 16, 2021 11:07 AM MST

Forms:

Attached Documents:

Amended Complaint: Second Amended Special Action Complaint

Exhibit/Attachment (Supporting): Exhibits 1-30

Exhibit/Attachment (Supporting): Exhibits 31-37

E-Service notification was sent to the following recipient(s):

Dennis Wilenchik at [admin@wb-law.com](mailto:admin@wb-law.com)

Jack Wilenchik at [jackw@wb-law.com](mailto:jackw@wb-law.com)

Kory Langhofer at [kory@statecraftlaw.com](mailto:kory@statecraftlaw.com)

Thomas Basile at [tom@statecraftlaw.com](mailto:tom@statecraftlaw.com)

**From:** Kiwi Process Service  
**To:** Verna Colwell  
**Subject:** Delivery/Service Complete: 20212398  
**Date:** Thursday, December 16, 2021 12:27:56 PM

---

[EXTERNAL SENDER]

Dear Verna Colwell,

Your shipment was delivered/served by Bruce, one of our qualified drivers. The tracking number for the shipment is: 20212398

This order was shipped under the following service level: Delivery / Filing - 3 Hour

**Pick Up From:** Coppersmith Brockelman

**Locaton:** Coppersmith Brockelman, 2800 N. Central Ave., Suite 1900, Phoenix, AZ, 85004

**Delivered/Served To:** Jack Wilenchik/Jordan C. Wolff/Catherine

**Actual Delivery Time:** 12/16/2021 12:27 PM

**Locaton:** Wilenchik & Bartness, P.C., 2810 N. Third Street, Phoenix, AZ, 85003

Thank you for using our services.

**Exhibit 2**

# **Exhibit 2**

**VERIFIED RETURN OF SERVICE**

CLERK OF THE  
SUPERIOR COURT  
RECEIVED CCC #3  
NIGHT DEPOSITORY

21 DEC 20 AM 11:59  
County of

State of Arizona

Case Number: CV2021-008285

Plaintiff:  
**AMERICAN OVERSIGHT**

vs.

Defendant:  
**KAREN FANN, in her official capacity as President of the Arizona Senate; WARREN PETERSEN, in his official capacity as Chairman of the Arizona Senate Committee on Judiciary; ARIZONA SENATE, a branch of the State of Arizona,**

**CYBER NINJAS, INC.,**  
Real Party in Interest

For:  
Keith Beauchamp  
GOPPERSMITH-BROGKELMAN-PLC  
2800 N. Central Ave.  
Suite 1900  
Phoenix, AZ Phoenix



Received by Hector Ramos on the 17th day of December, 2021 at 3:03 pm to be served on Cyber Ninjas, Inc. C/O Nw Registered Agent, 7901 4th Street N., St. Petersburg, FL 33702.

I, Hector Ramos, being duly sworn, depose and say that on the 17th day of December, 2021 at 3:35 pm, I:

served a CORPORATION (48.081 / 48.091) delivering a true copy of the **SUMMONS, CERTIFICATE OF COMPULSARY ARBITRATION, NOTICE OF VIDEOTAPED DEPOSITION OF DOUG LOGAN and SECOND AMENDED SPECIAL ACTION COMPLAINT** with the date and hour of service endorsed thereon by me, to: David P as Authorized Agent, at the address of: 7901 4th Street N., St. Petersburg, FL 33702, and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 30, Sex: M, Race/Skin Color: White, Height: 5'10", Weight: 160, Hair: Dark Brown, Glasses: Y

If a description of the party served is provided, please note all information provided is approximate. F.S. 48.021(1)(Services of Summons and Criminal Subpoenas) I certify that I am over the age of 18, have no interest in the above action, and am a Certified/Special/Appointed Process Server or authorized to serve process in the judicial circuit, county, or state where service was effectuated. F.S. 92.526 Under penalties of perjury, I declare that I have read the foregoing affidavit/proof of service and that the facts stated in it are true. (No Notary Required) (Services of subpoenas P.S. 48.021(1) (Rule 1.410) I am over the age of 18, and am not a party to nor interested in the outcome of the above styled case. I have personal knowledge of the facts and statements contained in this affidavit and each is true and correct. (Out of State/Foreign Process in accordance with F.S. 48.194 by any person authorized to server process in the state where the person or entity is served) Notary Required.

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on 12/17/21 by: Hector Ramos who is  personally known to me, or produced as identification

NOTARY PUBLIC



Hector Ramos  
APS 88133 / CPS 19-972884.

KwI Process Service  
530 E. McDowell Rd.  
#107-423  
Phoenix, AZ 85004  
(602) 768-2222

Our Job Serial Number: RCG-2021011160