

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2015-095897

01/20/2016

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT  
M. Kay  
Deputy

TURTLE ROCK III HOMEOWNERS  
ASSOCIATION

CLINT G GOODMAN

v.

LYNNE A FISHER

ERIN SELENE IUNGERICH

SCOTT L POTTER

MINUTE ENTRY

Courtroom 207 – SEA

1:35 p.m. This is the time set for Return Hearing re: Plaintiff's Application for Preliminary and Permanent Injunction. Counsel, Clint G. Goodman, is present on behalf of Plaintiff. Counsel, Erin S. Iungerich, is present on behalf of Defendant.

A record of the proceeding is made by audio and/or videotape in lieu of a court reporter.

The Court has reviewed the case file and the pleadings filed by the parties.

Counsel for Plaintiff advises the Court that several of the violations have been remedied and that the parties will confer and discuss the remaining violations.

Counsel request that a Telephonic Status Conference be set in 30 days to address the status of the case and the parties' settlement negotiations.

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**IT IS ORDERED** setting a Telephonic Status Conference re: status of the case and the parties' settlement negotiations on **February 26, 2016 at 9:15 a.m. (15 minutes allotted)** in this Division.

**NOTE:** Counsel for the Plaintiff is to initiate the telephonic conference by first arranging the presence of all other counsel or self-represented parties on the conference call and by calling this Division at (602) 506-6251 promptly at the scheduled time.

**IT IS FURTHER ORDERED** if the parties settle the matter, they shall contact this Division so the hearing can be vacated.

**NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.**

**IT IS ORDERED** that the parties are to exchange Rule 26.1 disclosure statements no later than **March 11, 2016**.

**IT IS FURTHER ORDERED** setting this matter for an Evidentiary Hearing re: monetary penalties and any additional issues on **April 15, 2016 at 10:00 a.m. (1 hour allotted)** before:

HONORABLE DAVID TALAMANTE  
SUPERIOR COURT OF ARIZONA  
SOUTHEAST COURTHOUSE  
COURTROOM 207  
222 E. JAVELINA  
MESA, AZ 85210

**LET THE RECORD REFLECT** if the violations are still at issue, the Court may need to expand the hearing time, which will be addressed at the Telephonic Status Conference.

**IT IS ORDERED** that counsel and self-represented litigants ("the parties") are directed to personally meet **no later than March 31, 2016** to exchange exhibits and discuss the exhibits prior to submitting them to the Court. At this meeting, the parties' shall attempt to agree on

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authenticity, foundation, and admission of the exhibits to shorten the time spent on exhibits during the hearing.

**IT IS FURTHER ORDERED** that the parties shall deliver to the Clerk of this Division all exhibits they will be introducing at the hearing, **no later than noon on April 8, 2016**. Counsel shall present all exhibits with a written list of brief exhibit descriptions to the Clerk. Exhibits shall not be placed in a notebook unless they are voluminous. Each exhibit shall be clipped or bound if too large to be stapled. Exhibits are to be separated by a colored sheet of paper or by a tabbed divider sheet. An enlargement may be used for demonstrative purposes; however an 8 ½ x 11 size copy of the enlargement must be submitted with the other exhibits and will be marked for demonstrative purposes only. (Enlargements will be released to the party using said enlargement at the end of trial.) The exhibits will be marked by the Clerk in consecutive order: Plaintiff's exhibits marked first; Defendant's exhibits marked second. Exhibits are assigned numbers in a serial fashion. Placeholders will not be accepted and exhibit numbers will not be reserved for exhibits not presented at this time. The parties shall ensure that there are no duplicate exhibits. Failure to follow the procedure for submitting trial exhibits may result in the exclusion of that party's exhibits at the hearing.

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1:41 p.m. Hearing concludes.

**LATER:**

**LET THE RECORD REFLECT** the Evidentiary Hearing was initially set for April 8, 2016 at 1:30 p.m. At the conclusion of the hearing, due to a calendar conflict, the Court reset the Evidentiary Hearing to **April 15, 2016 at 10:00 a.m.**