

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-024457

02/21/2006

HONORABLE BARRY C. SCHNEIDER

CLERK OF THE COURT
D. Raybon
Deputy

FILED: 02/23/2006

FIREROCK RESORT CASITAS
CONDOMINIUMS HOMEOWNERS
ASSOCIATION

MICHAEL D DICKS

v.

MIRAGE HOMES L L C, et al.

JILL ANN HERMAN

ADAM B CAMPBELL
WILLIAM H DOYLE
KENNETH JANUSZEWSKI
SUSANNE B LUSE
CHARLES D ONOFRY
RINA K RAI
RICHARD L RIGHI
JAMES M SHINN

MINUTE ENTRY

The court has now reviewed Third Party Defendant Young Builder's Motion to Compel Compliance With Subpoena, Third Party Plaintiffs Mirage Homes, LLC and Mirage Homes Constructions, Inc.'s 1) Response, 2) Motion for Protective Order, and 3) Motion to Quash Subpoena, and all responses and replies to the above.

Although no oral argument had been requested, the court had scheduled oral argument for February 21, 2006 at 1:30 p.m.

The court has now reviewed all of the above and determines, pursuant to Rule 7.1(c), that oral argument is no longer necessary.

IT IS ORDERED as follows:

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- 1) DENYING Young Builder's Motion to Compel.
- 2) DENYING Mirage Homes' Motions for Protective Order.
- 3) GRANTING Mirage Homes' Motion to Quash Subpoena.
- 4) VACATING the oral argument set this date.

The court assumes that during the course of disclosure and discovery, Mirage Homes will disclose all relevant information concerning the reasonableness of the settlement. The documents which are the subject of the subpoena are either privileged, the subject of work product immunity or not reasonably calculated to lead to the discovery of admissible evidence. It is noted from Mirage Homes' reply that the amount of the settlements have been disclosed. Until that occurred, the court may have granted some relief to Young Builders. Again, assuming compliance with disclosure and discovery rules, information about the reasonableness of the settlements will be forthcoming without violating any privilege or work product protection.