

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2008-000940

02/25/2008

JUDGE ROBERT E. MILES

CLERK OF THE COURT  
K. Ballard  
Deputy

CLEMENTE RANCH HOMEOWNERS  
ASSOCIATION

CHAD PHILIP MIESEN

v.

CAROLYN S ODELL

CAROLYN S ODELL  
1760 W CANARY WAY  
CHANDLER AZ 85248

HEARING

2:40 p.m. This is the time set for Order to Show Cause Return Hearing re: Plaintiff's Request for an Injunction. Plaintiff is represented by counsel, Chad Philip Miesen. Defendant is not present or represented.

A record of the proceeding is made electronically (FTR) in lieu of a court reporter.

Counsel advises the Court that Defendant was served on February 8, 2008, but there has been no communication with the Defendant. Counsel advises the Court that attempts to contact the Defendant to resolve this matter will continue, but in the event that does not occur, counsel requests an evidentiary hearing and consolidated trial on the merits.

**IT IS ORDERED** setting this matter for Evidentiary Hearing re: Plaintiff's Request for Injunctive Relief and a consolidated trial on the merits on **Friday May 2, 2008 at 1:30 p.m.** in this division:

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Judge ROBERT E. MILES  
Maricopa County Superior Court  
Old Courthouse  
125 W. Washington, Courtroom 303  
Phoenix, Arizona 85003  
(602) 372-0754

Time allotted: **Three (3) hours.**

Counsel is advised that the hearing on May 2<sup>nd</sup> may be continued if the trial scheduled in this division prior to that date has not concluded or settled by that date.

**NOTE:** All court proceedings are recorded by audio and video method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division (602-372-0754) **three (3) court business days** before the scheduled hearing.

2:47 p.m. Matter concludes.

**LATER:** Let the record reflect Defendant appeared in court at approximately 3:00 p.m. this date, after the conclusion of the hearing. Defendant confirmed her address and telephone number with Court staff and was advised a minute entry would be mailed regarding the proceedings held this date.

Based upon the foregoing,

Counsel and any unrepresented party shall provide the courtroom clerk (602-506-3813) all exhibits to be used at the hearing **no later than noon on April 28, 2008**. Counsel and the parties shall confer prior to that time regarding exhibits so that duplicates are avoided. The exhibits will be marked serially and **numerically** with Plaintiff's first and Defendant's second. Please note depositions are **not** marked as exhibits but are retained by the clerk for record purposes; only **original** depositions will be accepted. The depositions will be available to counsel and the Court during the hearing.

**Please DO NOT place exhibits in a notebook when submitting them to the clerk for marking. Additionally, please DO NOT provide the clerk with stacks of loose paper. The exhibits shall be bound by staples, binder clips, or the like.**

Counsel shall present **all** exhibits with a written list of brief exhibit descriptions to the clerk when delivering the exhibits for marking. All exhibits will be clearly labeled by counsel to correspond with the list provided. Counsel **should not** reserve exhibit numbers for "all

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Defendant's exhibits," "all Plaintiff's exhibits," "miscellaneous demonstrative exhibits," and the like.

**Although not required, at the time of the hearing, the Court would also appreciate receiving a JOINT notebook containing copies of ALL marked exhibits.**