

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-007263

02/22/2016

HON. RANDALL H. WARNER

CLERK OF THE COURT
K. Ballard
Deputy

JEFFREY SALLUS, et al.

JAMES ROBERT ECKLEY

v.

SUNRISE DESERT VISTAS PROPERTY
OWNERS ASSOCIATION INC, et al.

GUY W BLUFF

LARRY D LANGLEY

TRIAL MINUTE ENTRY
DAY 1

Courtroom: ECB-512

Prior to the commencement of trial, Plaintiffs' exhibits 1-124 and Defendants' exhibits 125-181 are marked for identification.

9:24 a.m. This is the time set for a trial to a jury. Plaintiffs Jeffrey Sallus and Suzanne Sallus are present and are represented by Counsel John Harris (appearing in place of James Robert Eckley). Defendants Grace Violette, Bernard Potof, Joyce Strole, Ronald Holewinski, and Rosie Holewinski are represented by Counsel Larry D. Langley and Kathleen M. Langley, who also represent Defendants Sunrise Desert Vistas Property Owners Association, Inc., Liz Potof and Ron Strole. The prospective jurors are not present.

Court Reporter Luz Franco is present. A record of the proceedings is also made by audio and/or videotape.

Logistical issues are briefly discussed.

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Let the record reflect that at the request of counsel, court and counsel will conduct an informal discussion in chambers, off of the record.

9:26 a.m. Court stands at recess.

9:46 a.m. Court reconvenes with respective counsel and the parties present. The prospective jurors are present.

Court Reporter Luz Franco is present. A record of the proceedings is also made by audio and/or videotape.

Voir dire examination commences.

10:49 a.m. The prospective jurors are excused with the exception of Juror 3.

Juror 3 is questioned further.

10:50 a.m. Juror 3 is excused from the courtroom; court remains in session.

10:50 a.m. Juror 8 is now present, outside the presence of the remaining jurors.

Juror 8 is questioned further.

10:51 a.m. Juror 8 is excused from the courtroom; court remains in session.

The court will excuse Jurors 3 and 8 based on their hardship excuses.

Scheduling is discussed.

10:52 a.m. Court stands at recess.

11:11 a.m. Court reconvenes with respective counsel and the parties present.

Court Reporter Luz Franco is present. A record of the proceedings is also made by audio and/or videotape.

Voir dire examination continues.

12:03 p.m. The prospective jurors are excused; court remains in session.

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Additional juror hardships are discussed.

Defendants move to strike Juror 20 for cause.

IT IS ORDERED granting the motion and striking Juror 20 for cause.

Defendants move to strike Juror 14 for cause.

IT IS ORDERED denying the motion to strike Juror 14 for cause.

12:10 p.m. Court stands at recess.

1:35 p.m. Court reconvenes with respective counsel and the parties present. The prospective jurors are not present.

Court Reporter Luz Franco is present. A record of the proceedings is also made by audio and/or videotape.

The Preliminary Jury Instructions are approved.

The trial jurors selected are confirmed with counsel.

1:36 p.m. Court stands at recess.

1:48 p.m. Court reconvenes with respective counsel and the parties present. The prospective jurors are present.

Court Reporter Luz Franco is present. A record of the proceedings is also made by audio and/or videotape.

Ten persons are seated and sworn to act as trial jurors in this case.

1:52 p.m. The remaining jurors are excused from the courtroom.

The Preliminary Jury Instructions are read.

FILED: Preliminary Jury Instructions

Opening statements.

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3:02 p.m. Court stands at recess.

Defendants' exhibits 182-192 are marked for identification.

3:24 p.m. Court reconvenes with respective counsel and the parties present. The Jury is present.

Court Reporter Luz Franco is present. A record of the proceedings is also made by audio and/or videotape.

Opening statements continue.

Plaintiffs' case:

Plaintiffs' exhibit 44 is received in evidence.

Plaintiffs' exhibit 45 is received in evidence.

4:32 p.m. The Jury is excused for the evening; court remains in session.

Scheduling is discussed.

4:33 p.m. Court stands at recess until 10:00 a.m. on February 23, 2016.