

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2007-053132

02/25/2008

HON. PAUL A KATZ

CLERK OF THE COURT
W. Bobrowski
Deputy

DOMINICK ABATEMARCO

BRIAN M BERGIN

v.

CANTERRA AT SQUAW PEAK
CONDOMINIUM ASSOCIATION INC, et al.

MARK A HOLMGREN

EVIDENTIARY HEARING HELD

Prior to the commencement of Trial, Plaintiff's exhibit numbers 1-22 and Defendants' exhibit numbers 23-38 are marked for identification.

1:33 p.m. This is the time set for Evidentiary Hearing Re: Application for Preliminary Injunction. Plaintiff, Dominick Abatemarco, is present and represented by counsel, Brian M. Bergin. Defendants' representative, Eric Hayes, is present and represented by counsel, Mark A. Holmgren.

Court Reporter, Kim Hannan, is present.

Upon stipulation of counsel,

Plaintiff's exhibit numbers 1-22 and Defendants' exhibit numbers 23-38 are received in evidence subject to any duplicative exhibits being withdrawn.

Opening statements.

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Plaintiff's case:

Dominick Abatemarco is sworn and testifies.

2:51 p.m. Court stands at recess.

3:12 p.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan, is present.

Eric Hayes is sworn and testifies.

Plaintiff rests.

Defendants move for a directed verdict.

IT IS ORDERED denying Defendants' motion for directed verdict.

The witness is excused.

Defendants rest.

Closing arguments.

IT IS ORDERED taking this matter under advisement.

4:40 p.m. Hearing concludes.

FILED: Exhibit Worksheet.