

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2005-019613

02/23/2009

HONORABLE A. CRAIG BLAKEY II

CLERK OF THE COURT  
J. Rutledge  
Deputy

MIRAGE CROSSING RESORT CASITAS  
HOMEOWNERS ASSOCIATION INC

JOHN E CHAIX

v.

MIRAGE HOMES CONSTRUCTION INC, et al.

LOUIS W HOROWITZ

JACK G BARONE  
DANIEL A BEATTY  
JASON J BLISS  
ADAM B CAMPBELL  
WILLIAM H DOYLE  
DOUGLAS H FITCH  
MICHAEL J FRAZELLE  
MICHAEL L GREEN  
JAMES K KLOSS  
LARRY D LANGLEY  
MELISSA LIN  
ANDREW R PESHEK  
MITCHELL J RESNICK  
RICHARD L RIGHI  
JAN-GEORG ROESCH  
DON D SKYPECK

ORAL ARGUMENT

Courtroom CCB-401

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3:45 p.m. This is the time set for an Oral Argument/Status Conference.

Present in the courtroom are:

- Counsel John E. Chaix representing Plaintiff Mirage Crossing Resort Casitas Homeowners Association;
- Counsel Jill Ann Herman representing Defendant, Mirage Home Construction;
- Counsel William H. Doyle, Teresa H. Wales, and Louis Horowitz representing Defendants/Third Party Plaintiffs Mirage Homes and Mirage Homes Construction;
- Counsel Michael J. Frazelle representing Third-Party Defendant, Bill Sisson Plumbing;
- Counsel Michael L. Green representing Third-Party Defendant, Eagle Ventures USA;
- Counsel Daniel A. Beatty representing Third-Party Defendants, Alvin Concrete, Arizona Door & Trim, Dotty and Sons Contracting, Eagle Valley Construction, Gypsum Floor Masters, Maycon Iron Design;
- Counsel Susie Ingold representing Third-Party Defendant, Sunrise Stucco;
- Counsel Erin Evans representing Third-Party Defendant, Castle Drywall Inc.;
- Counsel Christopher Stickland representing Alvin Concrete and Jedko Construction;
- Counsel Melissa Lin representing Third-Party Defendants, Castle Drywall and David R. Howard Electric;
- Counsel Jason Bliss representing Third-Party Defendant, GAC Inc.;
- Counsel Jack G. Barone representing Third-Party Defendant, Century Roofing, Inc.;
- Counsel Douglas H. Fitch representing Third-Party Defendant, Jordan Windows;
- Counsel Jan-Georg Roesch representing Third-Party Defendant, Markham Contracting appears telephonically.

Court Reporter, Judie Bryant, is present.

Argument is held regarding *Plaintiff's Motion to Bifurcate Trial*.

For the reasons set forth on the record,

IT IS ORDERED denying Plaintiff's Motion.

Argument is held regarding Defendant's *Motion to Dismiss*.

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For the reasons set forth on the record,

IT IS ORDERED denying Defendant's Motion.

*As to Plaintiff's Motion for Reconsideration of the Court's October 3, 2008 Minute Entry or, in the Alternative, Motion for Extension of Expert Reporting Deadlines,*

IT IS ORDERED denying Plaintiff's Motion for Reconsideration. With respect to Plaintiff's Motion for Extension,

IT IS ORDERED allowing the parties to file responses to Plaintiff's Motion. The parties shall consider Plaintiff's Motion received this date. Plaintiff may file a Reply pursuant to the rule.

*Argument is held regarding Third-Party Defendant's [Castle Drywall] Motion for Reconsideration of the Court's February 13, 2008 Minute Entry.*

For the reasons set forth on the record,

IT IS ORDERED allowing responses to be filed to the Motion for Reconsideration. The parties shall consider said Motion received this date. No reply is requested.

*Argument is held regarding Third-Party Defendant GAC, Inc.'s Renewed Application For Attorneys' Fees, Expert Fees and Costs as Against Plaintiff.*

Pursuant to counsel's agreement,

IT IS ORDERED that the Court will rule on the Renewed Application for Attorneys' Fees without oral argument.

4:02 p.m. Matter concludes.