

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2017-052655

03/19/2020

HONORABLE CYNTHIA J. BAILEY

CLERK OF THE COURT  
W. Tenoever  
Deputy

MICHAEL BERENT, et al.

KRISTIN M. ROEBUCK

v.

GRAZYNA MROCZKOWSKA, et al.

KEVIN M ARNOLD  
DEBRA S BROCKWAY  
JUDGE BAILEY

**TRIAL VACATED**

Northeast Regional Court - Courtroom 108

9:31 a.m. This is the time set for Final Trial Management Conference. Plaintiffs Michael Berent and Nancy Berent are represented by counsel, Thomas C. Horne and Kristin M. Roebuck, who appear telephonically. Defendants Marta Mroczkowski and Mirosław Mroczkowski are represented by counsel, Debra S. Brockway, who appears personally. Defendant Bell West Ranch Homeowners Association Inc. is represented by counsel, Kevin M. Arnold, who appears telephonically.

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held.

Pursuant to the Administrative Order issued yesterday that no jury trials shall be conducted through April 17, 2020,

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2017-052655

03/19/2020

**IT IS ORDERED** vacating the Jury Trial set to commence on April 13, 2020 in this division.

**IT IS FURTHER ORDERED** setting a Telephonic Trial Setting Conference on **April 23, 2020 at 9:00 a.m.** (time allotted: 15 minutes) for the purpose resetting the trial date. Counsel shall have their trial calendars available. Counsel for the Plaintiff shall initiate the conference call (602) 506-5121.

**NOTE:** All court proceedings are recorded digitally and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

**IT IS FURTHER ORDERED** directing the parties to meet and confer and present the Court with an amended joint pretrial statement. In addition to filing the amended joint pretrial statement, counsel shall also email a copy to this division's Judicial Assistant in Word format.

**IT IS FURTHER ORDERED** directing Ms. Roebuck to provide the Court with case law to support Plaintiffs' requested jury instruction regarding trespass not necessitating damages.

The Court notes that Plaintiffs' Motion for Ruling on Declaratory Relief, filed March 10, 2020 is outstanding. The Court will review the motion once it is fully briefed and set oral argument, if necessary.

Arguments are heard on Plaintiffs' Motion in Limine.

**IT IS ORDERED** granting Plaintiffs' Motion in Limine. The Court will require the parties to approach the Court prior to attempting to illicit any information about the personal animosity between the parties or issues relating to mental health, immigration status and inappropriate communication.

**IT IS FURTHER ORDERED** that counsel shall admonish their clients about what the Court's ruling is on Plaintiffs' Motion in Limine.

9:51 a.m. Matter concludes.