

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-008033

04/18/2008

HON. EDWARD O. BURKE

CLERK OF THE COURT
L. Nixon
Deputy

UNITED METRO MATERIALS INC

FRANCES J HAYNES

v.

REQUIP L L C, et al.

WILLIAM J SIMON
SEAN P ST CLAIR
KIRSTEN L COPELAND

MINUTE ENTRY

Prior to commencement of this hearing, Defendants' Exhibit 1, and Plaintiff's Exhibit 2 through 8 are marked for identification.

9:30 a.m. This is the time set for Oral Argument on Plaintiff's Motion for Attorneys Fees and Costs and Objections, and Evidentiary Hearing re Issue of Proper Apportionment of the Liability of Plaintiff's Lien. Plaintiff, United Metro Materials Inc, is represented by counsel, Kirsten L. Copeland for Frances J. Haynes. Defendants, U.S. Development Land LLC, and Western Surety Company, are represented by William J. Simon. Defendants, Beazer Homes Holdings Corp., Standard Pacific of Arizona Inc., Montelena Master Community Association, and Compass Bank, are represented by Sean P. St. Clair.

Court reporter, Scott Coniam is present and a record of the proceedings is made by audio and/or videotape.

Oral argument is heard on the Issue of Proper Apportionment of the Liability of Plaintiff's Lien.

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James N. Carlson is sworn and testifies.

Defendants' exhibit 1 is received in evidence.

James N. Carlson testifies further.

IT IS ORDERED taking this matter under advisement.

Argument is heard on Plaintiff's Motion for Attorneys' Fees and Costs.

Defendants ask the Court for leave to file amended objections to Plaintiff's Application for Attorneys Fees submitting a more detailed statement of their objections. Defense counsel shall have until Friday, April 25, 2008, to file their amended objections. Plaintiff's counsel shall have 2 weeks from then to file a response regarding these amended objections.

Plaintiff's counsel shall have until 4:30 p.m. on Wednesday, April 23, 2008, to file a supplemental fee application regarding attorneys fees incurred since the previous filing. Defendant shall be allowed to file a response by 4:30 p.m. on Friday, April 25, 2008. Once fully briefed, the Court shall rule on these matters.

Plaintiff's Exhibits 3 and 4 are received in evidence.

Further discussion is held.

10:24 hearing concludes.