

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-090103

04/07/2016

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT
M. Kay
Deputy

TAPESTRY ON CENTRAL L L C

RYAN J LORENZ

v.

TAPESTRY ON CENTRAL CONDOMINIUM
ASSOCIATION, et al.

KEVIN P NELSON

MICHAEL J ROGERS

MINUTE ENTRY

After a Telephonic Status Conference on February 26, 2016, the Court advised the parties it would not rule on unresolved discovery motions pending receipt of a revised Scheduling Order to be lodged on or before March 28, 2016 (this order did not apply to the also pending Defendants' Motion for Summary Judgment). A revised Scheduling Order has not been provided by the parties to the Court. After a further hearing on March 10, 2016 regarding discovery disputes, counsel were directed to confer regarding a limited re-opening of discovery for the purposes of expert depositions and the outstanding discovery requests for the documents of non-parties, the pending Motions to Compel and the pending Motions to Quash. On March 28, 2016, the Court received from Plaintiff's counsel a Joint Notice Re: Resolution of Discovery Issues (on Defense counsel's letterhead), a draft of which had been prepared by Defendants' counsel with a representation by Plaintiff that Defendants' counsel had refused to sign the document. Later that same day, Defendants filed their Association Defendants' Unilateral Notice Re: Resolution of Discovery Issues. Notwithstanding this unusual presentation to the Court and what appears to be the continuing bickering of the parties, it does appear that some agreements were reached.

IT IS ORDERED denying all pending unresolved Motions to Compel including any requests for sanctions. As far as the Court can determine, the Motions to Quash have been ruled

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on. This denial is without prejudice to a further consideration, if necessary, after a ruling on the pending Motion for Summary Judgment.

IT IS FURTHER ORDERED directing the Association Defendants to lodge (sealed) with the Court, discovery produced by Yahoo to the Association Defendants and the Court will make a later determination whether to conduct an in-camera review of the discovery. In making this determination, the Court notes the prior order quashing the subpoena which lead to the production of the discovery.

IT IS FURTHER ORDERED affirming the Oral Argument re: Defendants' Motion for Partial Summary Judgment set for **May 6, 2016 at 2:00 p.m. (1 hour allotted)**.