

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-096361

05/17/2016

HON. ROBERT H. OBERBILLIG

CLERK OF THE COURT
I. Ostrander
Deputy

AUBREY MITCHELL, et al.

ADAM W BARLOW

v.

LIGHTHOUSE MANAGEMENT L L C, et al.

MICHAEL W HERZOG

JOHN M DICARO
BENJAMIN R EID

ORAL ARGUMENT SET

The Court has read the following:

- *Defendant Tot Lot Services, Inc.'s Motion for Summary Judgment* electronically filed on February 15, 2016;
- *Plaintiffs' Response to Defendant Tot Lot Services' Motion for Summary Judgment and Plaintiffs' Countermotion for Partial Summary Judgment against Defendants Lighthouse Management, LLC and Pueblo Verde Community Association on the Issues of Non-Delegable Duty and Vicarious Liability* electronically filed on March 4, 2016;
- *Plaintiffs' Controverting Statement of Facts Opposing Defendant Tot Lot Services's Statement of Facts Re: Motion for Summary Judgment* electronically filed on March 4, 2016;

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- *Plaintiffs' Statement of Facts in Support of Their Motion to Establish Non-Delegable Duty and Vicarious Liability* electronically filed on March 4, 2016;
- *Defendant Lighthouse Management, LLC and Pueblo Verde Community Association's Response to Defendant Tot Lot Services, Inc.'s Motion for Summary Judgment* electronically filed on March 16, 2016;
- *Defendant Lighthouse Management, LLC and Pueblo Verde Community Association's Response to Defendant Tot Lot Services, Inc.'s Statement of Facts and Supplemental Facts* electronically filed on March 16, 2016;
- *Response of Defendants Lighthouse Management, LLC and Pueblo Verde Community Association to Plaintiffs' Countermotion for Summary Judgment on the Issues of Non-Delegable Duty and Vicarious Liability* electronically filed on April 6, 2016;
- *Response of Defendants Lighthouse Management, LLC and Pueblo Verde Community Association to Plaintiffs' Statement of Facts in Support of Their Motion to Establish Non-Delegable Duty and Vicarious Liability and Additional Facts* electronically filed on April 6, 2016;
- *Defendant Tot Lot Services, Inc.'s Reply in Support of Its Motion for Summary Judgment* electronically filed on April 11, 2016;
- *Plaintiffs' Reply in Support of Their Countermotion for Partial Summary Judgment against Defendants Lighthouse Management, LLC and Pueblo Verde Community Association on the Issues of Non-Delegable Duty and Vicarious Liability* electronically filed on May 9, 2016; and
- *Plaintiffs' Supplemental Statement of Facts in Support of Their Motion to Establish Non-Delegable Duty and Vicarious Liability* electronically filed on May 9, 2016.

Good cause appearing,

IT IS ORDERED setting **Oral Argument** on **June 7, 2016, at 11:00 a.m. (45 minutes allotted)** in this division.

Oral argument shall be limited to 45 minutes, with the time divided equally between the parties. Counsel and the parties, if representing themselves, are to **appear in person**.

IT IS FURTHER ORDERED vacating Status/Scheduling Conference set on May 19, 2016, and resetting same on June 7, 2016, to be heard following oral argument, if necessary. Counsel shall have their trial calendars available. Oral argument and Status/Scheduling Conference are set before:

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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The Honorable Robert H. Oberbillig
Maricopa County Superior Court
Southeast Judicial District
222 E. Javelina Avenue
Courtroom 206
Mesa, Arizona 85210
(602) 506.2194

The parties/attorneys are advised that failure to appear for the hearing may result in sanctions, including dismissal of the action per Rule 16(F), Arizona Rules of Civil Procedure.

All court proceedings are recorded by audio and video method 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.

PLEASE NOTE: If/when a party files a pleading within 48 hours of a scheduled event, the party should also email same to the Court's judicial assistant at gomezr002@superiorcourt.maricopa.gov and to dellergof@superiorcourt.maricopa.gov.

COUNSEL SHALL UPLOAD AND E-FILE ALL PROPOSED ORDERS IN WORD FORMAT ONLY TO ALLOW FOR POSSIBLE MODIFICATION BY THE COURT.