

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-017915

06/17/2010

HON. EDWARD O. BURKE

CLERK OF THE COURT
L. Nixon
Deputy

JUAN MENDEZ

CRAIG A MORGAN

v.

AUGUSTUS SHAW, et al.

JAMES R HUNTWORK

BARBARA A BAILEY
MARY JO FOSTER
COLLEEN CONNOR

MINUTE ENTRY

Prior to the commencement of the hearing, plaintiff's exhibits 1 through 25 are marked for identification.

3:02 p.m. This is the time set for Hearing re: election challenge. Plaintiff, Juan Mendez is represented by counsel, Craig A. Morgan, Kirstin T. Eidenbach, Rhonda L. Barnes and Daniel C. Barr. Defendant, Augustus Shaw is present on his own behalf and represented by counsel, James R. Huntwork. M. Colleen Connor is present on behalf of the Maricopa County Board of Supervisors and the Maricopa County Recorder. Mary Jo Foster is present on behalf of the Secretary of State.

Court Reporter Scott Coniam is present and a recording of the proceedings is made by audio and/or videotape.

The rule of exclusion of witnesses is invoked and the following persons are sworn: Andrada Shaw, Peter Bergsneider, Timothy M. Palmer and Brian Kidd.

Plaintiff's case:

Brian Kidd is sworn and testifies.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-017915

06/17/2010

3:14 p.m. Court stands at recess. Counsel and defendant Mr. Shaw assemble in the jury room and view plaintiff's exhibit 2, outside the presence of the court.

3:22 p.m. Court reconvenes with respective parties and counsel.

Court Reporter Scott Coniam is present and a recording of the proceedings is made by audio and/or videotape.

Plaintiff's exhibit 2 is received in evidence and played in open court.

Brian Kidd continues to testify.

Plaintiff's exhibit 3 is received in evidence.

Mr. Kidd testifies further.

Mr. Kidd is excused.

Upon stipulation of counsel, plaintiff's exhibits 1 and 4-10 are received in evidence.

Timothy M. Palmer is called to the stand and testifies.

Mr. Palmer is excused.

Andrada Shaw is called to the stand and testifies.

Plaintiff's exhibits 12 and 13 are received in evidence.

Andrada Shaw testifies further.

Ms. Shaw is excused.

Peter Bergsneider is called to the stand and testifies.

Plaintiff's exhibit 11 is received in evidence.

Mr. Bergsneider continues to testify.

Mr. Bergsneider is excused.

Plaintiff rests.

Defendants' case:

Augustus Shaw is sworn and testifies.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-017915

06/17/2010

LET THE RECORD REFLECT the Court has excused the court reporter and courtroom clerk at 5:00 p.m. and a record of the proceedings is made by audio and/or videotape.

Mr. Shaw continues to testify.

Augustus Shaw is excused.

Defendants rests.

Both sides rest.

Closing arguments are presented.

IT IS ORDERED the court shall take this matter under advisement.

5:14 p.m. Hearing concludes.

/ s / HON. EDWARD O. BURKE

JUDICIAL OFFICER OF THE SUPERIOR COURT