

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
07/16/2001

07/13/2001

CLERK OF THE COURT
FORM V000A

HONORABLE COLLEEN MCNALLY

K. Ballard
Deputy

CV 2001-006415

FILED: _____

SUN CITY TAXPAYERS ASSOCIATION
INC, et al.

BRAD K KEOGH

v.

RECREATION CENTERS OF SUN CITY
INC, et al.

CHARLES I KELHOFFER

TODD C WILEY

ORAL ARGUMENT SET

IT IS ORDERED setting this matter for oral argument on (1) Defendant Sun City Water Company, Inc.'s motion to dismiss and (2) Defendant Recreation Centers of Sun City, Inc.'s motion to dismiss on Monday, September 10, 2001 at 9:30 a.m. in this division, Central Court Building, 201 West Jefferson, 7th Floor, Courtroom 702, Phoenix, Arizona.

The proceeding will take place in the Superior Court's new "e-courtroom". A record of the proceedings may be made by videotape in lieu of a court reporter. Should you want an unofficial copy of the proceedings, the parties or counsel may give the Court a blank, previously unused videotape at least fifteen (15) minutes before the trial and a copy will be made at no cost. A specific type of videotape must be used for this system in order to ensure the most reliable record: Maxell or Fuji Super HG 120 (VHS) (SNG T-120) or equivalent. If the proceedings last for more than one day, a new tape must be

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provided each day. For the convenience of the parties, the store in the courthouse cafeteria sells the appropriate videotape. The Court can also provide a digital log, if the party provides an unused CD-R.

Should an official transcript be required, you may request that the Court prepare it. The party ordering the transcript must pay for it. With this new technology, a court reporter is likely not required and the parties are encouraged to experience the Court's video recording system before requesting a court reporter. If a court reporter is required, the Court must receive a written request at least 48 hours before the commencement of the proceeding. Failure to timely request a court reporter will be deemed consent to proceed without a court reporter.

Oral argument shall not exceed five minutes for each side. If extended oral argument is necessary, counsel must so advise the Court no later than four court days prior to the date set for hearing so that oral argument can be rescheduled.

Any motion or stipulation for continuance must be filed with the Court no later than four court days prior to the date set for hearing. After that date, no continuances will be granted except for extraordinary circumstances.

All memoranda and affidavits regarding the motion must be filed and copies lodged with this division no later than four court days prior to the date set for hearing.

COUNSEL ARE HEREBY DIRECTED TO PROVIDE THE COURT WITH COPIES OF ALL CASES AND STATUTES CITED IN MEMORANDA AND PLEADINGS, WHICH THEY WANT THE JUDGE TO READ AND CONSIDER, CONCERNING THE MOTION(S) TO BE RULED ON, INCLUDING ARIZONA CASES AND STATUTES.

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Counsel are advised that if the answering memorandum is not timely filed in accordance Arizona Rules of Civil Procedure, oral argument may be vacated and the motion will be ruled upon in accordance with Rule 7.1(b), A.R.C.P.

IF ANY ISSUES IN THE MOTION RELATE TO DISCOVERY PROBLEMS, COUNSEL SHALL CONFER TO ATTEMPT TO RESOLVE THEIR DIFFERENCES OR TO REDUCE THE AREAS OF DISPUTE. COUNSEL ARE REMINDED THAT THE COURT WILL LIKELY IMPOSE SANCTIONS AGAINST THE LOSING PARTY IN ACCORDANCE WITH RULE 37(a)(4), RULES OF CIVIL PROCEDURE.