

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2003-015126

07/13/2006

HONORABLE ROBERT E. MILES

CLERK OF THE COURT  
K. Ballard  
Deputy

FILED: 07/17/2006

EAGLE MOUNTAIN COMMUNITY  
ASSOCIATION

WILLIAM F SHORE III

v.

EAGLE MOUNTAIN INVESTORS L L C

WILLIAM A NEBEKER

TRIAL MINUTE ENTRY  
DAY 3

9:40 a.m. Trial to a jury continues from July 12, 2006. Plaintiff is represented by counsel, William F. Shore, III. Defendant is represented by counsel, William A. Nebeker and Marcus Tappe. Also present are various members of the Plaintiff Association and an officer representative of the Defendant. The jury is present.

A digital audio and video recording of this proceeding is being made by the "For the Record" recording system in lieu of a court reporter.

The Court advises the jury of events in the downtown area on July 14, 2006 which may affect their commute to the courthouse.

**Plaintiff's case continues:**

Richard Kloster is sworn and testifies.

10:48 a.m. Court stands at recess.

11:06 a.m. Court reconvenes with respective counsel and the party representatives present. The jury is present.

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Defendant's exhibit 377 is marked for identification.

Richard Kloster continues testifying.

George H. Glos, III is sworn and testifies.

Plaintiff's exhibit 378 is marked for identification.

By stipulation, Plaintiff's exhibit 378 is received in evidence.

11:58 a.m. Court stands at recess.

1:31 p.m. Court reconvenes with respective counsel and the party representatives present. The jury is present.

A digital audio and video recording of this proceeding is being made by the "For the Record" recording system in lieu of a court reporter.

George H. Glos, III continues testifying.

Plaintiff's exhibit 379 is marked for identification.

By stipulation, Plaintiff's exhibit 379 is received in evidence.

2:53 p.m. Court stands at recess.

3:09 p.m. Court reconvenes with respective counsel and the party representatives present. The jury is present.

A digital audio and video recording of this proceeding is being made by the "For the Record" recording system in lieu of a court reporter.

George H. Glos, III continues testifying.

4:30 p.m. Court stands at recess until 9:30 a.m. on July 14, 2006.