

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-015126

07/14/2006

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 4

9:32 a.m. Trial to a jury continues from July 13, 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.

Plaintiff's case continues:

George H. Glos, III resumes the stand and testifies further.

10:38 a.m. Court stands at recess.

10:54 a.m. Court reconvenes with respective counsel and the party representatives present. The jury is present.

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George H. Glos, III continues testifying.

The Court receives questions from the jury. Court and counsel discuss the same outside of the hearing of the jury.

The witness testifies further.

FILED: Jury Questions (2)

Gary Lee Freed is sworn and testifies.

11:56 a.m. Court stands at recess.

1:30 p.m. Court reconvenes with respective counsel and the party representatives present. The jury is present.

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The Court addresses the jury regarding a jury question received over the lunch hour.

FILED: Jury Question (1)

Gary Lee Freed continues testifying.

The Court receives a question from the jury. Court and counsel discuss the same outside the hearing of the jury.

The witness testifies further.

FILED: Jury Question (1)

LET THE RECORD REFLECT the following **defense witness** is taken out of order:

Laura Ziff is sworn and testifies.

2:49 p.m. Court stands at recess.

3:10 p.m. Court reconvenes with respective counsel and the party representatives present. The jury is present.

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Laura Ziff continues testifying.

The Court receives questions from the jury. Court and counsel discuss the same outside of the hearing of the jury.

The witness testifies further.

FILED: Jury Questions (3)

Plaintiff's case continues:

Ann Flynn Duncan is sworn and testifies.

LET THE RECORD REFLECT the following **defense witness** is taken out of order:

Steven Michael Pritulsky is sworn and testifies.

4:31 p.m. Court stands at recess until 9:30 a.m. on July 18, 2006.