

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-015126

07/21/2006

HONORABLE ROBERT E. MILES

CLERK OF THE COURT
T. Melius
Deputy

FILED: 07/28/2006

EAGLE MOUNTAIN COMMUNITY
ASSOCIATION

WILLIAM F SHORE III

v.

EAGLE MOUNTAIN INVESTORS L L C

WILLIAM A NEBEKER

TRIAL MINUTE ENTRY
DAY 8

9:43 a.m. Trial to jury continues from July 20, 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 record of the proceedings is made by audio CD (FTR) in lieu of a court reporter.

Plaintiff's rebuttal case continues:

Burt Fisher, previously sworn, resumes the stand and testifies further.

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

The witness testifies further.

FILED: Jury Questions (6)

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The witness is excused.

Plaintiff rests.

10:32 a.m. The Court stands in recess.

10:34 a.m. Court reconvenes with respective parties and counsel present.

A record of the proceedings is made by audio CD (FTR) in lieu of a court reporter.

Final jury instructions, forms of verdicts are discussed.

Defendant renews its Rule 50 motions.

IT IS ORDERED denying the Defendant's Rule 50 motions.

10:43 a.m. Court stands in recess.

10:54 a.m. Court reconvenes with respective parties and counsel present.

The jury is present.

A record of the proceedings is made by audio CD (FTR) in lieu of a court reporter.

Final jury instructions are read to the jury.

Closing statements are presented to the jury.

12:10 p.m. Court stands in recess.

1:36 p.m. Court reconvenes with respective parties and counsel present. The jury is present.

A record of the proceedings is made by audio CD (FTR) in lieu of a court reporter.

Closing statements continue.

2:54 p.m. Court stands in recess.

3:16 p.m. Court reconvenes with respective parties and counsel present. The jury is present.

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Closing statements continue.

The jury is further instructed re: the verdict forms.

FILED: Jury Instructions

3:43 p.m. The jury retires in charge of sworn bailiffs to consider their verdicts.

4:20 p.m. Court stands in recess until 9:00 a.m. on Tuesday, July 25, 2006.