

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2013-000741

07/23/2018

HON. SHERRY K. STEPHENS

CLERK OF THE COURT  
T. DeRaddo  
Deputy

MANISH THAKRAR

GREGORY G MCGILL

v.

SURENDRA PALA

GORDON S BUELER

GORDON S BUELER / BUELER JONES  
L L P  
1300 N MCCLINTOCK DR STE B4  
CHANDLER AZ 85226  
JUDGE STEPHENS

**BENCH TRIAL – DAY ONE**

East Court Building - Courtroom 712

9:38 a.m. This is the time set for a Bench Trial. Plaintiff, Manish Thakrar, is present and is represented by counsel, Gregory McGill. Defendant/Counterclaimant, Surendra Pala, is present and is represented by counsel, Gordon Bueler.

A record of the proceedings is made digitally in lieu of a court reporter.

Prior to today's proceedings, Defendant's Exhibits 1-74, and Plaintiff's Exhibits 75-94 were marked for identification.

**FILED:**

Deposition of Surendra K. Pala Volume 1  
Deposition of Surendra K. Pala Volume II  
Deposition of Surendra Kumar Pala  
Deposition of Manish Thakrar

Taken on January 16, 2014  
Taken on June 24, 2014  
Taken on May 2, 2018  
Taken on May 3, 2018

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Court Interpreter, Simon Pillai is present and assisting Defendant, Surendra Pala. The interpreter is sworn.

Discussion is held regarding Plaintiff's Notice of Errata, filed on June 23, 2018 as related to John Griffin, and Defendant/Counterclaimant's Objection to "Notice of Errata" and Motion to Strike, filed on July 3, 2018.

Counsel for Plaintiff requests that witness, John Griffin, be allowed to testify with respect to foundational issues as a rebuttal witness, not as an expert witness. Defendant objects.

Due to the fact that both parties have had prior knowledge regarding John Griffin being disclosed as a witness,

IT IS ORDERED that the issues will be addressed during the trial at the appropriate time.

Plaintiff's case.

Manish Thakrar and Surendra Pala are sworn.

Opening Statements are made.

Manish Thakrar takes the witness stand and testifies.

Plaintiff's Exhibits 75, 76 and 77 are received in evidence.

By stipulation of the parties, Plaintiff's Exhibits 78 and 82 are received in evidence.

After redacting Plaintiff's Exhibit to remove the cover letter, Plaintiff's Exhibit 91 is received in evidence.

By stipulation of the parties, Plaintiff's Exhibits 92 and 94 are received in evidence.

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

1:04 p.m. Court reconvenes with the parties and respective counsel present.

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Manish Thakrar continues to testify.

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By stipulation of the parties, Plaintiff's Exhibits 89 and Defendant's Exhibit 1 are received in evidence.

By stipulation of the parties, Defendant's Exhibit 14 is received in evidence.

2:30 p.m. The Court stands at recess.

2:40 p.m. Court reconvenes with the parties and respective counsel present.

Manish Thakrar resumes the stand and continues to testify.

By stipulation of the parties, Defendant's Exhibits 4, 6 and 22 are received in evidence.

By stipulation of the parties, Defendant's Exhibits 25 and 28 are received in evidence.

Defendant's counsel handed Plaintiff's counsel a 3-ring notebook purportedly containing bank records. Discussion is held. Plaintiff objects to the admission of the records in the notebook.

Defendant's Exhibits 33, 35 and 37 are received in evidence.

Defendant's Exhibits 39, 41, 43 and 45 are received in evidence.

4:05 p.m. Trial to the Court stands in recess until July 29, 2018 at 9:00 a.m.