

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2005-003790

08/22/2005

HONORABLE J. RICHARD GAMA

CLERK OF THE COURT  
S. Brown  
Deputy

FILED: 08/25/2005

FOOTHILLS COMMUNITY ASSOCIATION,  
THE

BOB J MCCULLOUGH

v.

MARTIN D LANTRY, et al.

STEVEN W CHEIFETZ

CIOBIE S LANTRY  
48018 N 27TH AVE  
NEW RIVER AZ 85087-8090

**STATUS CONFERENCE/ORAL ARGUMENT SET  
CONTINUED ON INACTIVE CALENDAR**

Upon review of the pretrial memorandums provided by counsel,

IT IS ORDERED vacating the status conference set on August 19, 2005.

IT IS FURTHER ORDERED granting the Motion for Extension of Time for Plaintiff to file its reply to Defendants' Motion for Summary Judgment and setting a pretrial status conference and oral argument for **November 4, 2005 at 4:00 p.m.** at which time all motions shall be fully briefed and ready for argument.

Any motion or stipulation for continuance must be filed with the Court no later than **4 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 **4 Court days prior** to the date set for hearing.

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Counsel are advised that if the answering memorandum is not timely filed in accordance with the 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.

All counsel are directed to meet personally no later than **10 days prior** to the Pretrial Conference, with their respective calendars, to discuss all of the matters set forth in Rules 16(a) and (b), A.R.C.P. Counsel shall prepare and file with the Court no later than **5 days prior** to the pretrial conference, **with a copy delivered to this division, a Joint Pretrial Statement** addressing at least the following items (due date: **October 28, 2005**):

1. An agreed-upon schedule for completion of discovery and a list of all discovery that has been completed through **November 4, 2005**. As far as can reasonably be anticipated, each party shall set forth the depositions they anticipate taking and the approximate time required for each; any and all medical examinations which may be required of any of the parties; the person or persons to conduct such examinations; all requests for production; and all tangible evidence to be disclosed or exchanged.

2. A date for the simultaneous disclosure of expert witnesses.

3. A date or dates for the disclosure of all non-expert witnesses.

4. The number of additional non-uniform interrogatories requested by each party and the reasons for the requests.

5. The position of each counsel on whether the Rule 38.1 A.R.C.P. time limits should be waived.

6. A proposed date for a mandatory settlement conference pursuant to Rule 16.1, A.R.C.P.

7. An agreed-upon date for compliance with Rule 16(d), A.R.C.P.

8. A proposed trial date agreed upon by all counsel.

If counsel are unable to agree on any of the items in the Pretrial Statement, the reasons for their inability to agree shall be set forth in the Pretrial Statement.

Counsel are reminded that the Court will impose sanctions against counsel and/or their clients for failure to participate in good faith in the Pretrial Statement for the pretrial conference.

IT IS FURTHER ORDERED continuing this matter on the inactive calendar through and including November 4, 2005.