

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-015126

08/01/2006

HONORABLE ROBERT E. MILES

CLERK OF THE COURT
M. Sahli
Deputy

EAGLE MOUNTAIN COMMUNITY
ASSOCIATION

WILLIAM F SHORE III

v.

EAGLE MOUNTAIN INVESTORS L L C

WILLIAM A NEBEKER

TRIAL MINUTE ENTRY
DAY 13

10:08 a.m. The jury is all present in the jury room and deliberations continue from July 28, 2006.

10:50 a.m. The jury informs the bailiff they are taking a brief recess from deliberations.

11:10 a.m. The jury is all present in the jury room and deliberations resume.

12:00 p.m. Jury recesses for lunch.

1:26 p.m. The jury is all present in the jury room and deliberations resume.

3:55 p.m. Court reconvenes. Plaintiff is represented by counsel, William F. Shore. Defendant is represented by counsel, Marcus Tappe and Rachel Nies. The Honorable Peter B. Swann presides.

A recording of this proceeding is made by CD (FTR) in lieu of a court reporter.

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The jury is all present in the jury box and by their foreperson return into court their verdict, which is read and recorded by the clerk and is as follows:

“We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of the Association and against Defendant Eagle Mountain Investors, L.L.C., and find the full damages to be \$150,000.00.

Signed: Foreperson”

At the request of Defendant’s counsel, the jurors are polled and each juror responds that this is his or her true verdict.

3:58 p.m. Trial concludes.

FILED: Verdicts; Worksheet; Jury Questions (3)

LET THE RECORD REFLECT that a jury question presented to the Court on July 27, 2006 and returned to the jury was inadvertently misplaced during deliberations. This question is not filed as part of the permanent record. The question was read into the record (FTR) and is preserved in the digital recording of the proceedings.

IT IS ORDERED that jury fees be assessed against Defendant Eagle Mountain Investors, L.L.C., in the sum of \$2,404.26, all in accordance with the formal written Judgment for Jury Fees signed by the Court on August 1, 2006 and filed (entered) by the Clerk on August 1, 2006.