

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-011969

08/28/2006

HONORABLE PETER SWANN

CLERK OF THE COURT
D. Kenney
Deputy

CAMELBACK DEL ESTE HOMEOWNERS
ASSOCIATION INC

KATHRYN A BATTOCK

v.

GINA M MARTORI

GINA M MARTORI
4809 N 35TH WAY
PHOENIX AZ 85018

MINUTE ENTRY

9:20 a.m. This is the time set for Order to Show Cause Return Hearing. Plaintiff is represented by counsel, Kathryn Battock. Defendant is present telephonically on her own behalf.

Court reporter, Judie Bryant, is present.

Discussion is held.

Pursuant to stipulation of the parties,

IT IS ORDERED that no further construction at Defendant's residence shall proceed until further order of the Court.

IT IS FURTHER ORDERED designating this matter as an E-Filing case by separate minute entry.

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IT IS FURTHER ORDERED that Plaintiff's counsel and Defendant shall meet and confer no later than **September 1, 2006** regarding a resolution of this matter.

IT IS FURTHER ORDERED setting Bench Trial in this matter on **September 25, 2006 at 1:30 p.m.** (time allotted: 3 hours), in this Division.

**HONORABLE PETER B. SWANN
MARICOPA COUNTY SUPERIOR COURT
OLD COURT HOUSE
125 W. WASHINGTON
2nd FLOOR, COURTROOM 202
PHOENIX, AZ 85003
602-506-7959 TEL
602-372-8545 FAX**

At least five (5) judicial days before the hearing, the trial lawyers or their knowledgeable assistants shall appear in this division to present all exhibits. The exhibits will be marked serially as they are listed in the LIST OF EXHIBITS which will be prepared by counsel and, if possible, downloaded onto a disk which should be given to the clerk. The parties shall advise the division, referring specifically to the pretrial statement, which exhibits may be marked directly in evidence. All exhibits will be clearly marked to correspond with the list provided. *Counsel are directed to meet in person to exchange the exhibits before coming to court. Counsel will make sure that they do not bring to the clerk a set of exhibits that include duplicate exhibits.* Counsel should not reserve exhibit numbers for all Defendant's exhibits, all Plaintiff's exhibits, miscellaneous demonstrative exhibits, and the like. Counsel shall also present original depositions for filing at that time. Written stipulations to admit specified exhibits in evidence are encouraged.

IT IS FURTHER ORDERED that should any discovery disputes arise, prior to filing discovery motions, counsel and Defendant shall MEET AND CONFER pursuant to Rule 37, then telephonically contact the court to set up a telephonic conference before any motions are filed.

IT IS FURTHER ORDERED that in no less than **five days** prior to the Trial set herein, the parties shall submit a Joint Statement pursuant to ARCP 16(d) and report to the Court the history of this case and positions taken.

9:36 a.m. Hearing concludes.