

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-016728

08/14/2008

HONORABLE KENNETH L. FIELDS

CLERK OF THE COURT
T. Melius
Deputy

TENTH AVENUE MISSIONS HOMEOWNERS
ASSOCIATION INC

COREY ISRAEL RICHTER

v.

DENNIS P KLEINSCHMIT, et al.

ANDREW D LYNCH

ALTERNATIVE DISPUTE
RESOLUTION - CCC

MINUTE ENTRY

Judge KENNETH FIELDS is appointed to conduct a Settlement Conference and to enter stipulated orders in this matter, pursuant to Rule 16, A.R.C.P.

A Settlement Conference shall be held at Alternative Dispute Resolution, Downtown Justice Center, 620 W. Jackson St., Suite 3076, Phoenix, Arizona on 9/10/2008 at 9:00 a.m. All parties and their counsel (if parties are represented), *shall appear in person* at the Settlement Conference. All Settlement Conference participants should expect to attend the Settlement Conference for at least three hours, and docket their calendars accordingly.

Pursuant to Maricopa County Local Rule 3.11, counsel are to submit mediation/settlement conference memorandum no later than 5:00 p.m. on 9/3/2008 by e-mail to: k.fields@cox.net or kfields@fields-mediation.com. This memorandum SHALL NOT be filed with the Clerk of Court. Parties shall exchange the memoranda with each other, or with the consent of all parties, furnish the memoranda sealed to the Settlement Judge.

The Settlement Conference Memorandum shall include the following information:

1. A general description of the issues in the lawsuit, and each party's position with respect to each issue;

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2. A general description of the evidence each party intends to present, with respect to each issue stated in item 1;
3. A summary of all settlement negotiations that have previously occurred;
4. An assessment by each party of the anticipated result if the matter did proceed to trial; and
5. Any other information each party believes would be helpful to the settlement process.

All motions to continue the scheduled Settlement Conference shall be brought before the Settlement Judge with a copy of the motion to be provided to Alternative Dispute Resolution (ADR). If a continuance is granted, the requesting party shall provide a signed copy of the Order to ADR. Any pre-trial motions shall be brought before the judge permanently assigned to the case.

Any agreement the parties enter into, which is memorialized by the Settlement Judge shall be considered a binding agreement, in accordance with Rule 80(d), A.R.C.P.

Failure to comply with this Court Order may result in the imposition of court sanctions, pursuant to Rule 16(f) A.R.C.P.