

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2010-000707

08/03/2017

HONORABLE DAWN M. BERGIN

CLERK OF THE COURT  
S. Ortega  
Deputy

MARKHAM CONTRACTING CO INC

KAREN A PALECEK

v.

PINNACLE POINT DEVELOPERS L L C, et al.

RICHARD Q NYE  
FRANK S TOMKINS

**STATUS CONFERENCE SET**

The Court has considered the following: (1) the Notice of Strike filed by Defendants Federal Deposit Insurance Corporation and PrimeAZ/Libra, LLC (“Defendants”) on June 23, 2017; (2) Plaintiff’s Objection to the Notice of Strike filed on June 27, 2017; (3) Defendants’ Motion for Reconsideration/Reply in Support of Notice of Strike filed on July 12, 2017; and (4) Plaintiff’s Response to Defendants’ Motion for Reconsideration filed on July 25, 2017.

For the reasons set forth in Plaintiff’s Objection to the Notice to Strike and its Response to Defendants’ Motion for Reconsideration,

**IT IS ORDERED** denying Defendants’ Motion for Reconsideration.

**IT IS FURTHER ORDERED** affirming the order contained in the minute entry dated June 30, 2017 rejecting Defendants’ Notice of Strike.

**IT IS FURTHER ORDERED** setting a Telephonic Status Conference on **August 15, 2017 at 9:00 a.m. (15 minutes)**

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**THE HONORABLE DAWN BERGIN  
MARICOPA COUNTY SUPERIOR COURT  
EAST COURT BUILDING  
101 W JEFFERSON  
7<sup>TH</sup> FLOOR, COURTROOM 713  
PHOENIX, AZ 85003  
602-372-2961 TEL**

**Plaintiff** shall initiate the conference call.

***NOTE: Counsel shall be available for the conference call on a telephone land line and not on cellular phones, in order to maximize all participants' ability to hear and be heard.***

***Note: Counsel shall have their calendars available for this proceeding.***

**NOTE:** All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.