

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-019231

09/19/2005

HON. COLIN F. CAMPBELL

CLERK OF THE COURT
E. Schneider
Deputy

FILED: 09/21/2005

TROON NORTH ASSOCIATION

FREDERICK E DAVIDSON

v.

CRESCENT CLUB INVESTORS I LTD, et al.

GREGORY G MCGILL

MINUTE ENTRY

1:38 p.m. This is the time set for oral argument on pending motions. Plaintiff is represented by Frederick E. Davidson and Brian G. Lester. Defendant Michael Hutchings is present and represented by counsel Gregory G. McGill.

Court Reporter: Amy Prellwitz-Fuller

Discussion is held about the relief requested by Plaintiff and Defendant's defenses.

Argument is presented on the following motions:

1. Plaintiff's Motion for Order Compelling Discovery.
2. Plaintiff's Motion for Reconsideration re: Court's Minute Entry dated February 3, 2005, filed February 7, 2005, or Motion for Clarification.
3. Plaintiff's Motion for Sanctions for Failure to Disclose Unfavorable Information.
4. Plaintiff's Motion that Facts be Taken as Established for Failure to Comply with Discovery Order.

Defendant Hutchings' Objection to Plaintiff's Motion for Default Judgment Against Discover Resorts Entities and Plaintiff's Motion to Strike is also pending.

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2:55 p.m. Court stands at recess.

3:31 p.m. Court reconvenes with respective counsel and Defendant Hutchings present.

Court Reporter: Amy Prellwitz-Fuller

The record should reflect that the Court talked with counsel in chambers.

IT IS ORDERED setting an evidentiary hearing on the issue of sanctions on **Monday, October 17, 2005 at 1:30 p.m.** Each side will have one (1) hour to present their case.

NOTE: All Court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.

NOTE: JUDGE CAMPBELL IS LOCATED IN THE OLD COURTHOUSE, 125 W. WASHINGTON, SUITE 309, PHOENIX, ARIZONA 85003 (TELEPHONE NUMBER (602) 506-3837).

IT IS FURTHER ORDERED that, prior to the evidentiary hearing, counsel shall provide to the Court a binder containing copies of the pleadings that were before Judge O'Melia on the summary judgment motions and also provide copies of Judge O'Melia's rulings.

3:37 p.m. Hearing concludes.