

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-024068

09/22/2009

HONORABLE JEANNE GARCIA

CLERK OF THE COURT  
C.I. Miller  
Deputy

LEXINGTON INSURANCE COMPANY

KIRK H HAYS

v.

ORCUTT / WINSLOW L L L P, THE, et al.

CAROLYN V WILLIAMS

P DOUGLAS FOLK  
JAMES S RIGBERG  
ROBERT GRASSO JR.  
DAVID R PENILLA  
MICHAEL L GREEN  
JAMES K KLOSS  
RODNEY W OTT  
ARTHUR W PEDERSON  
ANDREW R PESHEK  
COURT ADMIN-CIVIL-ARB DESK  
E-FILE CASE MANAGEMENT

**CASE DESIGNATED FOR PARTICIPATION IN THE COURT'S E-FILING  
PROGRAM**

The Superior Court is transitioning civil cases to an electronic filing system. Pursuant to Administrative Order 2007-140,

**IT IS ORDERED** that all pleadings in this case be electronically filed.

The electronic filing system is currently available for use in this case. The date for mandatory eFiling is **October 26, 2009**. Filing by conventional means may continue until this

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mandatory date. **ALL FILINGS NOT EFILED AFTER THE MANDATORY DATE WILL NOT BE CONSIDERED BY THE DIVISION UNTIL PROPERLY EFILED.** If service has not yet been completed as to some or all of the Defendants, then it is the Plaintiff's responsibility to forward this minute entry to later appearing parties.

You may now choose to use the Clerk of Court hosted eFiling systems, or one of the Court's qualified eFiling service providers to electronically file your pleadings. Please visit the following web site for more information on your options for eFiling.

<http://www.clerkofcourt.maricopa.gov>

To assist in the transition to eFiling, the Office of the Clerk of the Superior Court has prepared instructions and training concerning the eFiling system. All parties and attorneys of record in this case are strongly encouraged to study this material before the mandatory eFiling date. The web site address for training materials is:

<http://eventures.clerkofcourt.maricopa.gov/training.asp>

Additionally, please be sure to review the eFiling guidelines set forth by Administrative Order 2007-140 at the following web site address:

<https://efiling.clerkofcourt.maricopa.gov/efilingguidelines>

Upon the mandatory eFiling date, all attorneys of record shall eFile all pleadings in accordance with the guidelines set forth in Administrative Order 2007-140. ***Self-represented parties or pro per litigants, and other case participants like Mediators, Arbitrators, and Special Discovery Masters are strongly encouraged to eFile all pleadings. If a self-represented party or other case participant chooses to file their pleading in paper, they shall include a notation just under the case number on the first page of the pleading that the case is an "E-FILE CASE."***

The eFiling system can be accessed from any computer that has an Internet connection. Free internet access terminals are available in the Superior Court Law Library, and other public locations such as most public libraries.

Where filing fees may incur on an electronic filing, they may be paid by credit card at the time of filing if the filing party choose to use a qualified eFiling service provider. If the filing party chooses to use the Clerk of Court's hosted eFiling system, the filing party will be contacted by the Clerk's Office by phone for credit card payment. If we are unable to process payment by phone, the filing party will be billed by the Billing Unit of the Clerk of Superior Court.

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[E]Filed Orders from the Court will be distributed to attorneys in the same manner each attorney has elected to receive Minute Entries from the court. Attorneys may enroll with the Clerk of the Court to receive their Minute Entries electronically via e-mail. The Minute Entry Distribution Agreement form may be downloaded at:

<http://www.clerkofcourt.maricopa.gov/forms.asp>

**NOTE: Counsel shall upload and e-File all proposed orders in Word format to allow for possible modifications by the Court.**

**Motion Practice:**

All motions, responses, replies and other court requested filings in this case must be submitted **INDIVIDUALLY**. Counsel *shall not* combine any motion with a responsive pleading. All motions are to be filed separately and designated as such. No pleadings will be accepted if filed in combination with another.

Counsel shall confirm with this court's judicial assistant the receipt of all documents filed within three (3) days of any hearing.

**Discovery Protocol (Disputes):**

With respect to discovery disputes, counsel are advised that, as the Court interprets Civil Rule 37(a)(2)(c), an exchange of correspondence between counsel is not sufficient to satisfy the "personal consultation" requirement of the rule, except in extraordinary circumstances. At a minimum, counsel must speak to each other by telephone to attempt to resolve the dispute in good faith before involving the Court.

The parties shall call the Court's judicial assistant (602-372-0610) to request a short telephonic conference to discuss any discovery disputes or any other matter that may impact the parties' ability to resolve this case in a just, speedy, and inexpensive manner **prior** to filing any motions.