

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2012-005216

09/10/2013

HON. ROBERT H. OBERBILLIG

CLERK OF THE COURT
S. Brown
Deputy

DILLIONS GRAND L L C, et al.

NEAL G HORENSTEIN

v.

SUN CITY GRAND COMMUNITY
ASSOCIATION INC, et al.

JOHN C HENDRICKS

STATUS CONFERENCE SET

Courtroom 309 – Old Courthouse

8:29 a.m. This is the time set for a telephonic scheduling/status conference. Plaintiffs are represented by counsel, Neal Horenstein. Defendants are represented by counsel, John Hendricks.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held on the pending Motion to Compel Compliance with Discovery Order and Request for Sanctions. The Court notes the parties are working together to resolve the issues brought forth in the motion. Accordingly,

IT IS ORDERED Defendant's Motion to Compel and Request for Sanctions are deemed moot at this time.

Argument is presented on Plaintiffs' Motion for Partial Summary Judgment filed July 3, 2013. For the reasons stated on the record,

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IT IS ORDERED denying Plaintiffs' Motion for Partial Summary Judgment.

Discussion is held regarding extending current deadlines. Based thereon, the Court extends the following deadlines:

IT IS ORDERED the parties shall complete private mediation no later than November 29, 2013.

IT IS FURTHER ORDERED Defendants will disclose the identity and opinions of their expert witnesses by December 31, 2013.

IT IS FURTHER ORDERED rebuttal experts shall be disclosed by February 14, 2014.

IT IS FURTHER ORDERED discovery shall be completed by March 31, 2014.

IT IS FURTHER ORDERED substantive motions shall be filed by April 30, 2014.

IT IS FURTHER ORDERED setting this matter for a follow-up Telephonic Status Conference on December 9, 2013 at 9:15 a.m., for the purpose of selecting a trial date if the case has not settled. Counsel shall have their trial calendars available. The Telephonic Conference is set before:

JUDGE ROBERT H OBERBILLIG
OLD COURT HOUSE
125 WEST WASHINGTON STREET
THIRD FLOOR – COURTROOM 309
PHOENIX, AZ 85003
(602) 506-2194

IT IS FURTHER ORDERED Plaintiff's counsel shall initiate the telephonic conference by first arranging the presence of all other counsel or self-represented parties on the conference call and then calling this division (602-506-2194) promptly at the scheduled time. All parties appearing telephonically must be joined in a single conference call and be prepared to hold until called to testify.

The call should be placed from a telephone in an area with no background noise as this will prevent the parties from hearing the proceedings in the courtroom. The call may not be placed from a moving vehicle or while in traffic.

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NOTE: This Court utilizes FTR for an electronic record of the proceedings. However, any party may request the presence of a court reporter by contacting this division three (3) court business days before the scheduled hearing.

PLEASE NOTE: If/when a party files a pleading within 48 hours of a scheduled event, the party should also e-mail same to the Court's Judicial Assistant at gomezr002@superiorcourt.maricopa.gov.

NOTE: COUNSEL SHALL UPLOAD AND E-FILE ALL PROPOSED ORDERS IN WORD FORMAT ONLY TO ALLOW FOR POSSIBLE MODIFICATIONS BY THE COURT.

8:46 a.m. Matter concludes.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.