

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-090103

08/29/2017

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT
M. Kay
Deputy

TAPESTRY ON CENTRAL L L C

RYAN J LORENZ

v.

TAPESTRY ON CENTRAL CONDOMINIUM
ASSOCIATION, et al.

KEVIN P NELSON

MICHAEL A WRAPP
CHRISTOPHER T CURRAN

TRIAL
DAY SIX

Courtroom 207 – SEF

9:30 a.m. Trial to jury continues from August 28, 2017. Counsel, Ryan J. Lorenz and Christopher T. Curran, appear on behalf of Plaintiff (managing member of Plaintiff, Yair Ben Moshe, is present). Counsel, Kevin P. Nelson and Michael A. Wrapp, appear on behalf of Defendants (Emery Jensen is also present). The jury is not present.

Court Reporter, Scott Coniam, is present. The proceedings are audio recorded via FTR for the Court's use only.

Discussion is held regarding Mr. Ben Moshe's use of an interpreter during his testimony. An instruction will be given to the jury as agreed by counsel and indicated on the record.

Further discussion is held regarding the question posed by the jury for witness Howard Kunkle relating to allocation of the parking spaces.

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9:42 a.m. Court stands at recess.

9:48 a.m. Court reconvenes with the parties and respective counsel present. The jury is present. Court Interpreter, Anna Kron, is present assisting Yair Ben Moshe in the Hebrew language.

Court Reporter, Scott Coniam, is present. The proceedings are audio recorded via FTR for the Court's use only.

LET THE RECORD REFLECT the following instruction is given to the jury regarding Mr. Ben Moshe's use of an interpreter during his testimony:

- Mr. Ben Moshe reads and writes and understands the English language. However, while under oath, Mr. Ben Moshe has requested, and the Court has approved, his use of an interpreter to translate the questions posed and the answers given.

LET THE RECORD REFLECT Court Interpreter, Anna Kron, is administered the outside interpreter's oath and sworn in by this Court's Clerk.

Continuation of Plaintiff's case:

Yair Ben Moshe is sworn and testifies.

Plaintiff's exhibits 13-19 are received in evidence.

Plaintiff's exhibit 11 is offered but not received in evidence.

Defendants' exhibits 287, 296, 326, 327 and 331 are received in evidence.

11:00 a.m. The jury is reminded of previous admonitions and excused from the courtroom. Court stands at recess.

11:19 a.m. Court reconvenes with the parties and respective counsel present. The jury is present.

Court Reporter, Scott Coniam, is present. The proceedings are audio recorded via FTR for the Court's use only.

Yair Ben Moshe resumes testimony for purposes of direct examination.

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Defendant s' exhibit 271 is offered but not received in evidence.

Plaintiff's exhibit 12 is received in evidence.

12:28 p.m. The jury is reminded of previous admonitions and excused from the courtroom. The jury will reconvene at 2:00 p.m. Court remains in session.

Discussion is held concerning evidentiary issues.

12:29 p.m. Court stands at recess.

2:07 p.m. Court reconvenes with the parties and respective counsel present. The jury is present. Court Interpreter, Anna Kron, is present assisting Yair Ben Moshe in the Hebrew language.

Court Reporter, Scott Coniam, is present. The proceedings are audio recorded via FTR for the Court's use only.

Yair Ben Moshe resumes testimony for purposes of direct examination.

Plaintiff's exhibits 113 and 163 are offered but not received in evidence.

Defendants' exhibits 247 and 257 are received in evidence.

3:17 p.m. The jury is reminded of previous admonitions and excused from the courtroom. Court stands at recess.

3:40 p.m. Court reconvenes with the parties and respective counsel present. The jury is present.

Court Reporter, Scott Coniam, is present. The proceedings are audio recorded via FTR for the Court's use only.

Yair Ben Moshe resumes testimony for purposes of cross-examination.

Defendants' exhibits 346, 353 and 399 are received in evidence.

The witness is excused.

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4:16 p.m. The jury is reminded of previous admonitions and excused from the courtroom. The jury will reconvene at 9:30 a.m. on August 30, 2017. Court remains in session.

Discussion is held concerning procedural matters and evidentiary issues.

4:18 p.m. Court stands at recess until 9:30 a.m. on August 30, 2017.