

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2018-014261

08/19/2020

HON. PAMELA GATES

CLERK OF THE COURT
S. Ortega
Deputy

JASON KOMOROWSKI, et al.

E JEFFREY WALSH

v.

WHISPER MOUNTAIN HOMEOWNERS
ASSOCIATION

BRADLEY R JARDINE

ROBERT A HILL
MICHAEL WARZYNSKI
JUDGE GATES
JUDGE MIKITISH

MINUTE ENTRY

East Court Building – Courtroom 912

1:30 p.m. This is the time set for a telephonic Status Conference. Plaintiffs Jason Komorowski and Melissa Komorowski are present and represented by counsel, Robert A. Hill for counsel of record, E. Jeffrey Walsh. Defendant is represented by counsel, Bradley R. Jardine and Michael Warzynski. Counsel and the parties appear telephonically.

A record of the proceedings is made digitally in lieu of a court reporter.

Counsel updates the court on the status of the case after the parties' meet and confer. Counsel may require more time to further discuss additional terms and provisions in this matter.

Discussion is held regarding Defendant's Motion to Preclude. To the extent that Plaintiffs believe there needs to be clarification on Judge Mikitish's July 21, 2020 order, Plaintiffs shall file a motion for clarification.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2018-014261

08/19/2020

Further discussion is held regarding pending matters in the case.

For the reasons stated on the record,

IT IS ORDERED affirming the Fair Limits Proceeding (“FLP”) set on **September 8, 2020 at 8:30 a.m.** (time allotted: **2 hours**) in this division. Participants shall join the hearing by using the GoToMeeting videoconference platform. The access information is as follows:

<https://global.gotomeeting.com/join/853938141>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (408) 650-3123

- One-touch: <tel:+14086503123,,853938141#>

Access Code: 853-938-141

At the FLP, the parties shall also be prepared to discuss any agreements related to the 3-person panel trial in this case.

Prior to the FLP,

The court will email counsel with a list of pro tems as well as a link to the trial simulation video;

The parties should meet and confer regarding issues discussed during today’s proceeding including but not limited to:

- the identification of the pro tems and if agreement cannot be reached, the process for appointment of the pro tems which may include the submission of a blind list;
- the judicial officer to preside over the trial;
- the appellate rights following the verdict;
- any agreement on attorneys’ fees; and
- the method or presentation of the experts, which may include presentation of the experts in writing followed by cross-examination and redirect examination.

1:59 p.m. Matter concludes.