

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2001-010072

10/09/2003

HON. THOMAS DUNEVANT, III

CLERK OF THE COURT
K. Ballard
Deputy

FILED: 10/10/2003

MILLER WHOLESALE LUMBER COMPANY, MALCOLM T SLOAN
et al.

v.

JOHN B PERONA, et al.

GREG R DAVIS
DWAIN D PICKENS

INACTIVE CALENDAR
RULE 16 CONFERENCE SET

The Court has reviewed the Plaintiffs' Motion to Continue on the Court's Inactive Calendar. Based thereon,

IT IS ORDERED:

1. Setting this matter for a **telephonic** Rule 16 scheduling conference on **October 23, 2003 at 9:15 a.m.** Plaintiffs' counsel is requested to arrange and initiate the conference call to this Court at 602-506-2050.
2. Continuing this matter on the Inactive Calendar for dismissal until October 23, 2003 unless prior to that date a Judgment is entered or filed, a Stipulation for Dismissal is presented, or a Motion to Set and Certificate of Readiness is filed.
3. Signing the formal written Order Extending Case on the Court's Inactive Calendar consistent with the foregoing on October 6, 2003, and entered (filed) by the clerk on October 9, 2003.

The Court has set aside 15 minutes for this conference. If all counsel feel significantly more or less time is required for the conference, the Court should be notified immediately.

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All counsel are directed to meet personally before the scheduling conference to discuss all of the matters set forth in Rules 16(a) and (b), A.R.C.P. Counsel shall prepare and file with the Court three working days before the conference, a Joint Pretrial Memorandum addressing at least the following items:

1. An agreed-upon schedule for completion of discovery. As far as can reasonably be anticipated, each party shall set forth the depositions they anticipate taking and the approximate time required for each; any and all medical examinations which may be required of any of the parties; the person or persons to conduct such examinations; all requests for production; and all tangible evidence to be disclosed or exchanged.
2. A date for the final disclosure of expert witnesses, and/or to supplement disclosures made to date.
3. A date or dates for the final disclosure of all non-expert witnesses, and/or to supplement disclosures made to date.
4. The number of additional non-uniform interrogatories requested by each party and the reasons for the requests. Further, counsel shall set forth any written discovery outstanding and a date when it will be complete.
5. The position of each counsel on whether the Rule 38.1 A.R.C.P. time limits should be waived.
6. A proposed date for a Mandatory Settlement Conference pursuant to Rule 16.1, A.R.C.P.
7. An agreed-upon date for compliance with Rule 16(d), A.R.C.P. The parties shall attach a copy of the Rule 16(g) form so the Court can issue the appropriate order for Alternate Dispute Resolution.
8. Set forth any discovery disputes to date or Rule 26.1 compliance issues.
9. A proposed trial date agreed upon by all counsel.

If counsel are unable to agree on any of the items of the Pretrial Statement, the reasons for their inability to agree shall be set forth in the Pretrial Statement.

Counsel are reminded that the Court will impose sanctions against counsel and/or their clients for failure to participate in good faith in the preparation of the Pretrial Statement or the conference.