

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2004-020236

09/29/2005

HON. PAUL A KATZ

CLERK OF THE COURT  
W. Bobrowski  
Deputy

FILED: 10/04/2005

ASTRAGAL CONDOMINIUM UNIT OWNERS ASSOCIATION      JOHN F MCGUIRE

v.

ASTRAGAL L L C, et al.

CRAIG A MCCARTHY

DARRELL S DUDZIK  
TIMOTHY MACKEY  
RINA K RAI

HEARING CONTINUED

9:01 a.m. This is the time set for Rule 16 Comprehensive Pretrial Conference. Plaintiff is represented by counsel, John F. McGuire. Defendants are represented by counsel, Craig A. McCarthy. Third-Party Defendant Faith Plumbing is represented by counsel, Rina K. Rai. Third-Party Defendant American Woodmark is represented by counsel, Darrell S. Dudzik. Third-Party Defendant Quality Builders is represented by counsel, Timothy Mackey.

A recording of this proceeding is being made by CD (FTR) in lieu of a court reporter.

Discussion is held regarding status of the case.

**IT IS ORDERED** continuing today's Rule 16 Comprehensive Pretrial Conference to **November 21, 2005 at 1:30 p.m.** in this division (90 minutes allocated).

**IT IS FURTHER ORDERED** that by **November 16, 2005**, counsel for the parties who have already appeared as well as counsel for any new parties that have been served and have answered or otherwise appeared will meet and confer prior to the scheduled pretrial conference for purposes of putting together a revised Joint Pretrial Memorandum setting forth the following:

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2004-020236

09/29/2005

1. The parties proposed schedule for additional discovery including depositions and all other discovery pursuant to the rules of procedure or as agreed upon by the parties. **NOTE:** The date for disclosure of non-expert witnesses must be at least forty-five days before the completion of discovery.
2. The parties' proposed schedule for disclosure of expert witnesses and designation pursuant to Rule 26(b)(4). **NOTE:** The disclosure should be within ninety days of the scheduling conference except upon a showing of good cause.
3. The parties' proposed schedule for any agreed upon amendments to the pleadings and any requested amendments to the pleadings.
4. The parties' proposed date for a settlement conference.
5. The parties' proposed date for trial. **NOTE:** The parties should come to the scheduling conference with the trial calendars of the attorneys responsible for trial.

If there are any discovery disputes, they must be filed with the Court by motion at least ten days prior to the scheduling conference. A response must be filed not less than three days prior to the conference. No reply will be filed. The Court will assess any appropriate sanction if the Court finds that any party or attorney engaged in unreasonable, groundless, abusive or obstructionist discovery.

**IT IS FURTHER ORDERED** the Third-Party Defendants that have entered their appearance in these proceedings and any new Third-Party Defendants who should answer or otherwise appear in this matter are instructed to immediately contact Plaintiff's and Defendant's counsel for purposes of making arrangements to procure copies of previously served disclosure statements and answers to written discovery as well as making arrangements to review the documents and exhibits that have been compiled by the parties and placed in a central registry.

9:40 a.m. Hearing concludes.

***E-Courtroom Policies***

Courtroom 111 is an "e-courtroom" and provides state of the art equipment for case presentation.

The e-courtroom does not have a court reporter present. With this new technology, a court reporter is likely not required and the parties are encouraged to experience the court's digital recording system before requesting a court reporter. If a court reporter is required, the

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2004-020236

09/29/2005

court must receive a written request at least 72 hours before the commencement of the proceeding. Failure to timely request a court reporter will be deemed consent to proceed without a court reporter.

Do not attempt to set up the court equipment by yourself! In addition, please do not unplug, move, or in any way alter any of the equipment, microphones, cameras, etc. in the courtroom.