

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-001341

10/21/2005

HONORABLE BARRY C. SCHNEIDER

CLERK OF THE COURT
D. Raybon
Deputy

FILED: 10/24/2005

AHWATUKEE CUSTOM ESTATES
MANAGEMENT ASSOCIATION

JAMES H HAZLEWOOD

v.

JAMES M RAST, et al.

ROGER R FOOTE

BENCH TRIAL SETTING – (NON-PRETRIAL MANAGEMENT)

9:19 a.m. This is the time set for Status Conference. Plaintiff is represented by counsel, Traylor Richardson. Defendants are represented by counsel, Roger Foote.

Court reporter is not present.

Discussion is held regarding the status of the case.

IT IS ORDERED vacating the 1-day Bench Trial set on November 18, 2005 and resetting this matter for a **4-hour Bench Trial on December 19, 2005 at 1:30 p.m.** in this division.

All exhibits shall be exchanged prior to trial. Counsel shall confer regarding exhibits so duplicates are avoided. **At least one week before trial, counsel or their knowledgeable assistants shall call the division clerk at (602) 506-3351 to discuss procedures for marking exhibits.** Exhibits shall be delivered to the clerk for marking no later than **December 14, 2005.** Original depositions are provided to the clerk for the record and not marked as exhibits.

Counsel for Plaintiff has filed a Motion for Summary Judgment and counsel for Defendants has filed a Cross-Motion for Summary Judgment.

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IT IS ORDERED Plaintiff's shall file a reply to their Motion for Summary Judgment and a response to Defendants' Cross-Motion **no later than October 28, 2005**. Defendants shall file a reply to their Cross-Motion **no later than November 9, 2005**.

IT IS FURTHER ORDERED setting this matter for **Oral Argument on Pending Motions for Summary Judgment for November 14, 2005 at 10:30 a.m.** in this division.

The court will not honor agreements by the parties to modify the briefing schedule set forth in the Rules of Civil Procedure unless it is notified in writing of the terms of the agreement before the rule-imposed deadline expires **and** the motion is fully briefed at least 5 judicial days prior to the hearing.

9:29 a.m. Matter concludes.