

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-007501

10/17/2011

HONORABLE JOHN A. BUTTRICK

CLERK OF THE COURT
C. Castro
Deputy

MOUNTAIN VIEW VILLAGE TOWNHOUSES
COMMUNITY ASSOCIATION

GORDON LEWIS
NIKITA VERMA PATEL

v.

PAUL DEMOS

PAUL DEMOS
9722 N 3RD DR
PHOENIX AZ 85021

ALTERNATIVE DISPUTE
RESOLUTION - CCC

PRETRIAL CONFERENCE

Courtroom 704 - Central Court Building.

8:35 a.m. This is the time set for Rule 16 Comprehensive Pretrial Conference. Plaintiff is represented by counsel, Gordon Lewis and Nikita Verma Patel. Defendant Paul Demos is present on his own behalf.

No court reporter is present.

A Comprehensive Pretrial Conference is conducted and legal matters are discussed.

A Request for Rule 16(b) Scheduling Conference having been filed,

IT IS ORDERED suspending the provisions of Rule 38.1, as to the Motion to Set and Certificate of Readiness practice.

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IT IS FURTHER ORDERED AS FOLLOWS:

1. DISCLOSURE, DISCOVERY AND MOTIONS.

- A. **Expert Witnesses (alternating disclosure):** Counterclaimant shall designate the name, subject matter, address, curriculum vitae, and opinions of all trial experts by **December 15, 2011**. Counterdefendant shall designate the name, subject matter, address, curriculum vitae, and opinions of all trial experts by **January 13, 2012**.
- B. **Discovery Cutoff:** All discovery shall be completed by **February 15, 2012**.
- C. **Rule 26.1:** All parties shall have exchanged up-to-date Rule 26.1 Supplemental Disclosure Statements including a disclosure of all final expert witness opinions by **February 15, 2012**. No information disclosed after this date may be used at trial absent court order or motion and affidavit. Such information must be seasonably disclosed on an ongoing basis pursuant to Rule 26.1 **prior** to this date.
- D. **Pretrial Motions:** All pretrial motions, other than Motions in Limine, shall be filed no later than **March 15, 2012**.

2. SETTLEMENT CONFERENCE.

IT IS ORDERED the parties shall participate in a Settlement Conference. This case is referred to the Court's Office of Alternative Dispute Resolution for the appointment of a Judge Pro Tempore to conduct a Settlement Conference. Counsel and/or the parties will receive a minute entry from ADR appointing the Judge Pro Tempore. Counsel and any "pro per" parties will contact the appointed Judge Pro Tempore to arrange the date, time and location for the Settlement Conference. The Judge Pro Tempore is requested to conduct a Settlement Conference no later than **February 29, 2012**. **The Office of Alternative Dispute Resolution will not do the scheduling of the Settlement Conference so please do not contact that office.**

If the parties prefer to use a private mediator to conduct the Settlement Conference, a Stipulation and Order re: alternative to ADR must be presented to the Court by no later than December 1, 2011.

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IT IS FURTHER ORDERED the parties, insurance adjusters, and representatives of carriers must personally attend and participate in the settlement conference process. The parties must participate in good faith even if no settlement is expected.

3. TRIAL SETTING CONFERENCE.

IT IS ORDERED setting a Trial Setting Conference on **May 14, 2012 @ 9:00 a.m.** in this division. **The parties will appear telephonically.** The Court shall initiate the call at the aforesaid date and time. At that time a firm trial date shall be set. In addition, a Final Pretrial Conference will be scheduled and the Court shall set deadlines for Motions in Limine, the Joint Pretrial Statement, Jury Instructions, Verdict Forms and Voir Dire Questions.

9:41 a.m. Matter concludes.

All telephonic proceedings held in chambers are not digitally recorded. Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.

ALERT: Effective September 1, 2011, the Arizona Supreme Court Administrative Order 2011-87 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.