

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-026289

10/23/2012

HONORABLE J. RICHARD GAMA

CLERK OF THE COURT
T. Nosker
Deputy

DONALD R GATTS, et al.

MATTHEW ALLEN KLOPP

v.

DREAMLAND VILLA COMMUNITY CLUB
INC

CHARLES E MAXWELL

ALTERNATIVE DISPUTE
RESOLUTION - CCC

STATUS CONFERENCE/
REFERRAL TO ALTERNATIVE DISPUTE RESOLUTION (ADR)/
STATUS CONFERENCE SET

Courtroom CCB-701.

9:20 a.m. This is the time set for Telephonic Status Conference. Plaintiffs are represented by counsel, Matthew Allen Klopp. Defendant is represented by counsel, Charles E. Maxwell.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding pending matters including Defendant's Motion for New Trial; Plaintiffs' Application for Attorney Fees and Statement of Costs. The Court ruled on these pending motions without oral argument pursuant to Rule 7.1(c)2. Counsel for Defendant objects to the Court ruling without oral argument.

The Court waives oral argument and rules as follows;

IT IS ORDERED denying Defendant's Motion for New Trial.

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IT IS FURTHER ORDERED granting Plaintiff's Attorneys' Fees in the amount \$9,240.00 and Costs in the amount of \$515.50.

IT IS FURTHER ORDERED adopting Plaintiff's proposed findings of fact and conclusions of law in total.

IT IS FURTHER ORDERED approving and settling the formal written Judgment modified and signed by the Court on October 23, 2012 and filed (entered) by the Clerk on October 23, 2012.

IT IS FURTHER ORDERED setting bond in this matter at \$70,000.00

IT IS FURTHER ORDERED all remaining discovery shall be completed by no later than **March 25, 2013**.

IT IS FURTHER ORDERED setting a Status Conference in this matter on **April 10, 2013 at 9:00 a.m. (time allotted: 15 minutes)** before:

HON. J. RICHARD GAMA
Judge of Superior Court of Arizona
201 W. Jefferson - CCB
7th Floor – Courtroom 701
Phoenix, Arizona 85003
(602) 506-1245

IT IS FURTHER ORDERED that Counsel for the Plaintiff is to initiate the telephonic conference by first arranging the presence of all other counsel or self-represented parties on the conference call and by calling this division (602-506-1245) promptly at the scheduled time. All parties appearing telephonically must be joined in a single conference call and be prepared to hold until called to testify.

The call should be placed from a telephone in an area with no background noise as this will prevent the parties from hearing the proceedings in the courtroom. The call may not be placed from a vehicle. Also, the use of cellular telephones to call into the hearing is strongly discouraged.

IT IS FURTHER ORDERED the parties shall submit a Joint Pretrial Status Memorandum to the Court no later than **April 1, 2013**.

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IT IS FURTHER ORDERED the parties shall participate in a mandatory settlement conference. This case is referred to the Court's 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 not later than **January 31, 2013**. The Office of Alternative Dispute Resolution will not do the scheduling of the settlement conference so please do not contact that office. If counsel 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 5:00 p.m. on **November 30, 2012**. All counsel and their clients, or non-lawyer representatives who have full and complete authority to settle the case, shall personally appear and participate in good faith in the Settlement Conference. Sanctions may be imposed for failure to participate.

9:55 a.m. Matter concludes.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 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.