

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-007144

10/11/2017

HONORABLE DANIEL J. KILEY

CLERK OF THE COURT
C. Mai
Deputy

ORCHARD HOUSE CONDOMINIUM
HOMEOWNERS ASSOCIATION

EDITH I RUDDER

v.

JACQUELINE GILLMAN

VAIL C CLOAR
ALTERNATIVE DISPUTE
RESOLUTION - CCC

MINUTE ENTRY

Courtroom 911 (ECB)

9:05 a.m. This is the time set for Order to Show Cause Return Hearing. Plaintiff Orchard House Condominium Homeowners Association is represented by counsel, Edith I Rudder. Defendant Jacqueline Gillman is represented by counsel, Vail Cloar.

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held regarding the status of the case. Counsel for Plaintiff requests referral to Alternative Dispute Resolution for a settlement conference and also requests for a trial date to be set in this matter.

By request of the Plaintiff and in the absence of any objection,

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IT IS ORDERED that 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 **February 8, 2018**. The Office of Alternative Dispute Resolution will not do the scheduling of the settlement conference so please do not contact that office.

All counsel and their clients, or non-lawyer representatives who have full and complete authority to settle this case, shall personally appear and participate in good faith in this settlement conference even if no settlement is expected.

Further discussion is held regarding scheduling a trial date.

Pursuant to the discussion and in the absence of any objection,

IT IS FURTHER ORDERED setting a Preliminary Injunction Hearing on **December 12, 2017 at 9:00 a.m. (time allotted: 6 hours split evenly between the parties)** before this Division.

HON. DANIEL J. KILEY
Maricopa County Superior Court
East Court Building
101 West Jefferson Street
9th Floor, Courtroom 911
Phoenix, AZ 85003

NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140.00 for a half-day and \$280.00 for a full day.

Further discussion is held regarding deadlines.

By agreement of the parties,

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IT IS FURTHER ORDERED that each party shall disclose all witnesses and exhibits they intend to present at the Preliminary Injunction Hearing on December 12, 2017 no later than **5:00 p.m. on November 9, 2017.**

IT IS FURTHER ORDERED any depositions shall be completed by **November 28, 2017.**

The Court advises the parties that taking a deposition of a witness prior to the Preliminary Injunction Hearing would not later preclude a party from re-deposing the same witness for other issues not resolved at the Preliminary Injunction Hearing on December 12, 2017.

9:16 a.m. Matter concludes.