

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2018-054012

10/16/2019

HONORABLE LISA DANIEL FLORES

CLERK OF THE COURT
G. Chavez
Deputy

MALIN COOPER, et al.

JEFFREY L VICTOR

v.

TRESTLE MANAGEMENT GROUP L L C, et al. MICHAEL P OBERT JR.

DENNIS I WILENCHIK
JUDGE FLORES

MINUTE ENTRY

The Court received Plaintiffs' Motion to Continue Disclosure Deadlines Re: Expert Opinions/Lay Witnesses, filed August 5, 2019. Responses were filed by defendants, and replies were filed to each response. Oral argument was requested but is not necessary to resolve the matter.

Plaintiff requested an order directing Defendant Hovnanian to identify, by a date certain, "who was in charge/working in the area where plaintiff fell that day." Defendant Hovnanian responded that Plaintiff's fall occurred on January 7, 2017 -- a Saturday, and the records have been diligently searched and no one was working at the construction site on that day. The Court confirmed that January 7, 2017 was, indeed, a Saturday. If Defendant has already gone on record that no one was at work at the construction site on the day of the injury, and if Plaintiff has no other evidence (such as photographs, statements of witnesses, etc.) that there were, in fact, workers on the job site that day, the Court fails to see what there is to be disclosed.

The deadline for disclosing the identity and opinions of expert witnesses was August 5, 2019 -- the same date that Plaintiffs filed the instant motion. According to Plaintiffs, they already disclosed their medical experts, but wanted additional time to disclose a "liability expert" after Defendant Hovnanian discloses the individuals responsible for conditions in the area of

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2018-054012

10/16/2019

Plaintiff's fall. It is not clear to the Court that there is any additional information for Defendant Hovnanian to disclose, but it appears from the record that depositions were scheduled while this motion was pending. Because of the possibility that the additional depositions were necessary for experts to review before rendering opinions, the Court will give Plaintiff an extension until November 15, 2019 to disclose the identity and opinions of additional expert witnesses.

IT IS ORDERED granting, as limited, Plaintiffs' Motion to Continue Disclosure Deadlines Re: Expert Opinions/Lay Witnesses, filed August 5, 2019. The deadline for Plaintiffs to disclose the identities and opinions of expert witnesses is now November 15, 2019.

To the extent that the extension of time for Plaintiffs to disclose expert opinions requires amendments of other deadlines in the scheduling order, the parties are directed to file a **stipulated** amended scheduling order.