

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2019-055035

10/05/2020

HONORABLE GARY L. POPHAM JR.

CLERK OF THE COURT
V. Burton
Deputy

PALM TERRACE CONDOMINIUM
ASSOCIATION

KATHRYN A BATTOCK

v.

MAGTON L L C

JONATHAN A DESSAULES

COMM. POPHAM

MINUTE ENTRY

On the Court's own motion,

IT IS ORDERED setting an In-Person Evidentiary Hearing on **October 15, 2020, at 1:30 p.m.** before the before Honorable Gary L. Popham, Jr., Maricopa County Superior Court, Northeast Regional Court Center, 18380 N. 40th Street, Courtroom 105, Phoenix AZ 85032.

NOTE: All court proceedings are recorded digitally 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 for a half-day and \$280 for a full day.

Due to the spread of COVID-19, the Arizona Supreme Court Administrative Order 2020-79 requires all individuals entering a court facility to wear a mask or face covering at all times they are in the court facility. With limited exceptions, the court will not provide masks or face coverings. Therefore, any individual attempting to enter the court facility must have an

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appropriate mask or face covering to be allowed entry to the court facility. Any person who refuses to wear a mask or face covering as directed will be denied entrance to the court facility or asked to leave. In addition, all individuals entering a court facility will be subject to a health screening protocol. Any person who does not pass the health screening protocol will be denied entrance to the court facility.

IT IS FURTHER ORDERED that a Representative of Defendant, Magton, LLC. shall appear in person at the Evidentiary Hearing.

IT IS FURTHER ORDERED that on or before **October 8, 2020**, the parties shall exchange by email any exhibits they intend to use at the hearing.

IT IS FURTHER ORDERED that on or before **October 8, 2020**, the parties shall provide any exhibits they intend to use at the hearing to the Clerk's Office in the following manner:

- a. A party can submit them in person by going to a COC File Counter at any facility. The party will pull a ticket from the kiosk for exhibit submittal, which will notify Courtroom Services that someone is in the lobby with exhibits to drop off. A representative from CRS will retrieve the exhibits and will we mark them as normal to have ready for the hearing; or
- b. A party can submit exhibits electronically by following the instructions on the COC website here: <https://www.clerkofcourt.maricopa.gov/services/exhibits-submission>. **The email shall include the case number, party submitting the exhibits and the hearing date.**

Please Note: Each exhibit must be separated by an Exhibit Slip Sheet to clearly identify individual exhibits. If exhibits are not clearly separated, they will be combined as one (1) document. Exhibits will be marked consecutively Plaintiff first and then Defendant.

NOTICE: Exhibits Marked But Not Offered

Exhibits submitted to the Court for a trial/evidentiary hearing, whether through hard copy or by electronic submission, that are marked as exhibits but are not offered into evidence during the hearing, will be destroyed following the hearing, unless a party requests that the evidence be returned at the conclusion of the hearing. Such requests must be filed with the Court and served on all parties in advance of the hearing or by no later than the conclusion of the hearing.