

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2020-003577

10/21/2020

HONORABLE DANIEL J. KILEY

CLERK OF THE COURT
R. Sheppard/S. Brown
Deputy

CLUB WEST CONSERVANCY

FRANCIS J SLAVIN

v.

FOOTHILLS CLUB WEST COMMUNITY
ASSOCIATION, et al.

CARLOTTA L TURMAN

JUDGE KILEY

MINUTE ENTRY

East Court Building – Courtroom 911

Prior to the commencement of the hearing, Plaintiff's exhibits 1 through 32 are marked for identification.

9:07 a.m. This is the time set for virtual evidentiary hearing regarding preliminary injunction. Plaintiff is represented by counsel, Francis Slavin. Defendants are represented by counsel, Carlotta Turman.

Court Reporter, Teri Veres, is present. A record of the proceeding is also made digitally.

Discussion is held regarding the status of the case.

Counsel for the Defendants invokes the Rule of Exclusion of Witnesses.

Ellen Davis, Matt Tyler and Paul Moros are sworn in.

Opening Statements

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Plaintiff's case:

Ellen Davis testifies.

Exhibits 1, 2, 8-10, 12, 13, 17, 20, 21, 25 and 29 are received in evidence.

10:29 a.m. Court stands in recess.

10:49 a.m. Court reconvenes with the parties and respective counsel present.

The Court informs the parties of the remaining time.

Court reporter, Teri Veres, is present. A record of the proceeding is also made digitally.

Ellen Davis' virtual testimony continues.

Ellen Davis' virtual testimony concludes.

Matt Tyler testifies.

Matt Tyler's virtual testimony concludes.

Plaintiff rests.

Defendant makes an oral motion for the Court to deny Plaintiff's request for a preliminary injunction and argument is presented.

IT IS ORDERED denying Defendant's oral motion.

Defendants' Case:

Paul Moros testifies.

Plaintiff's exhibit 31 is in evidence.

The Court informs the parties of the remaining time.

12:00 p.m. Court stands in recess.

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1:31 p.m. Court reconvenes with the parties and respective counsel present.

Court reporter, Teri Veres, is present. A record of the proceeding is also made digitally.

The Court informs the parties of the remaining time.

Paul Moros' virtual testimony continues.

Plaintiff's exhibits 27 and 30 are in evidence.

Paul Moros' virtual testimony concludes.

Michael Hinz is sworn and testifies.

3:00 p.m. Court stands in recess.

3:19 p.m. Court reconvenes with the parties and respective counsel present.

Court reporter, Teri Veres, is present. A record of the proceeding is also made digitally.

Michael Hinz's virtual testimony continues.

Michael Hinz's virtual testimony concludes.

The Court informs the parties of the remaining time.

Defendants rests.

Closing arguments presented.

IT IS ORDERED taking this matter under advisement.

Pursuant to the orders entered, and there being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of Court,

IT IS FURTHER ORDERED that counsel shall have no later than November 25, 2020 to request any exhibits not entered into evidence or they will disposed of.

4:17 p.m. Matter concludes.

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