

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-019231

11/08/2005

HON. COLIN F. CAMPBELL

CLERK OF THE COURT
M. Sahli
Deputy

FILED: 11/10/2005

TROON NORTH ASSOCIATION

FREDERICK E DAVIDSON

v.

CRESCENT CLUB INVESTORS I LTD, et al.

BRIAN A CABIANCA

GREGORY G MCGILL

EVIDENTIARY HEARING
MINUTE ENTRY
DAY TWO

8:35 a.m. Evidentiary Hearing continues from November 7, 2005. Plaintiff is represented by counsel, Frederick Davidson and Brian Lester. Defendant Michael Hutchings is present with counsel, Gregory McGill.

A recording of this proceeding is made by CD (FTR) in lieu of a court reporter.

James Hunsberger resumes the stand and testifies further.

The witness is excused.

9:19 a.m. Court stands at recess.

11:03 a.m. Court reconvenes with respective parties and counsel present.

A recording of this proceeding is made by CD (FTR) in lieu of a court reporter.

The Court is advised that the parties have reached an agreement on the issues, which is stated on the record.

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Pursuant to Rule 80(d), Rules of Civil Procedure, the agreement having been made in open Court, it is binding on the parties and effective this date.

IT IS ORDERED the Court shall retain jurisdiction in this matter.

IT IS FURTHER ORDERED the parties shall submit a Stipulated Injunction for the Court's signature.

IT IS FURTHER ORDERED vacating Bench Trial set for December 9, 2005 in this division.

IT IS FURTHER ORDERED placing this matter on the Inactive Calendar for dismissal on **January 15, 2006** without further notice unless prior to that date a proper Judgment is entered or filed, a Stipulation for Dismissal is presented, or a Motion to Set and Certificate of Readiness is filed.

11:13 a.m. Matter concludes.

The hearing having been completed and there being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked or their written designee. Counsel/party or written designee shall have the right to refile relevant exhibits as needed in support of any appeal. Refiled exhibits must be accompanied by a Notice of Refiling Exhibits and presented to the Exhibit Department of the Clerk's Office. The Court's exhibit tag must remain intact on all refiled exhibits.

ISSUED: Exhibit Release Form (1)

FILED: Hearing Worksheet; Exhibit Worksheet