

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-008033

11/01/2007

HON. EDWARD O. BURKE

CLERK OF THE COURT
T. Melius
Deputy

UNITED METRO MATERIALS INC

FRANCES J HAYNES

v.

REQUIP L L C, et al.

SEAN P ST CLAIR
BARRY C SCHNEIDER

ORAL ARGUMENT SET

The Court is in receipt of the following Motions:

1. Plaintiff Rinker Materials' Motion for Partial Summary Judgment #3 re: (1) Validity of Rinker Materials' Lien Claim as to Entire Montelena Subdivision Property; and (2) Owner Defendants' Counterclaim;
2. Plaintiff Rinker Materials' Motion for Partial Summary Judgment #2 re: Validity of Notice and Claim of Lien as to USDL and Beazer Homes;
3. Renewed Motion for Partial Summary Judgment by Defendants U.S. Development Land, LLC, Western Surety Company, Beazer Homes Holdings Corp., Standard Pacific of Arizona, Inc., and Montelena Mater Community Association; and
4. Motion for Partial Summary Judgment by Defendant U.S. Development Land, LLC, Beazer Homes Holdings Corp., and Standard Pacific of Arizona, Inc., re: Count Three of Plaintiff's Complaint (unjust Enrichment/Quantum Meruit).

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IT IS ORDERED setting Oral Argument on said motions on **December 3, 2007, at 10:00 a.m. (30 minutes)** before:

HON. EDWARD O. BURKE
Judge of Superior Court of Arizona
125 W. Washington - OCH
Courtroom 103 – 1st Floor
Phoenix, Arizona 85003
(602) 506-6538

The Court will not honor agreements by the parties to modify the briefing schedule set forth in the Rules of Civil Procedure unless it is notified by stipulation in writing of the terms of the agreement before the rule-imposed deadline expires **and** the motion is fully briefed at least 5 judicial days prior to the hearing.

Counsel and any self-represented parties are advised that the Clerk of the Maricopa County Superior Court has converted its case files to an electronic format and case files are no longer made available to the divisions. Therefore it is imperative that counsel follow Maricopa County Local Rule 3.2 which requires counsel to deliver copies of motions and responses to the division.