

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2005-019613

11/19/2008

HONORABLE A. CRAIG BLAKEY II

CLERK OF THE COURT
L. Gilbert
Deputy

MIRAGE CROSSING RESORT CASITAS
HOMEOWNERS ASSOCIATION INC

JOHN E CHAIX

v.

MIRAGE HOMES CONSTRUCTION INC, et al.

LOUIS W HOROWITZ

JACK G BARONE
DANIEL A BEATTY
JASON J BLISS
WILLIAM H DOYLE
DOUGLAS H FITCH
MICHAEL J FRAZELLE
MICHAEL L GREEN
MELISSA LIN
JAN-GEORG ROESCH
DON D SKYPECK
KACI YOUNG BOWMAN
TONYA MACBETH

MINUTE ENTRY

On the Court's own motion,

IT IS ORDERED vacating the Trial Management Conference set for July 6, 2009 and resetting same for **June 29, 2009 at 1:30 p.m. (time allotted: 3 hours)**. The Trial Management Conference shall be governed by the Pretrial Management Orders issued this date.

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No information disclosed after the dates contained in the order may be used at the trial absent court order on motion and affidavit.

IT IS FURTHER ORDERED that should any discovery disputes arise, counsel shall MEET AND CONFER pursuant to Rule 37 and file a motion to compel or motion for protective order.

PRETRIAL MANAGEMENT ORDERS

IT IS ORDERED that the Joint Pretrial Statement (JPTS) in accordance with Rule 16(d), A.R.Civ.P., is due in this division **by 5:00 p.m. on June 22, 2009.**

IT IS FURTHER ORDERED with the JPTS, counsel shall deliver to this division, copies of the following:

A. A joint set of agreed-upon preliminary and final jury instructions. This does not include Preliminary Civil RAJI or Standard Civil RAJI 1 – 15, which the Court will give without request.

B. Separate sets of requested instructions that have not been agreed upon. Please read *Rosen v. Knaub*, 175 Ariz. 329, 857 P.2d 381 (1993), and the RAJI Civil Statement of Purpose and Approach before preparing the request for non-RAJI instructions.

C. Proposed Findings of Fact and Conclusions of Law, if a request has been or will be filed Pursuant to Rule 52. If no proposed Findings of Fact and Conclusions of Law is received, the request shall be deemed waived.

D. Proposed voir dire questions that the Court will give.

E. Counsel shall jointly prepare a brief summary of the case which the Court will read to the jury at the commencement of voir dire.

F. Counsel are to identify in/with the JPTS all deposition or other transcribed testimony that may be offered at trial. The proposed testimony is to be identified by reference to page and line numbers. Objections, if any, to such testimony, and the reasons for such objections, are also to be set forth.

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MOTIONS IN LIMINE

Motions in limine shall be filed only in accordance with Rule 7.2, Ariz. R. Civ. P. Motions in limine shall be filed 30 days before the TMC and such motions must meet the test of *State v. Superior Court*, 108 Ariz. 396, 397, 499 P.2d 152 (1972). A written response to a motion in limine may be filed no later than ten (10) days thereafter. The Court will rule on the motions in limine without oral argument. If the Court wishes to hear argument, the argument will be heard at the PTMC. No replies shall be filed.

Unless prior leave of the Court is obtained for good cause shown, no party may file more than five motions in limine, including all subparts.