

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2009-010065

11/19/2009

HONORABLE EILEEN S. WILLETT

CLERK OF THE COURT
J. Rutledge
Deputy

SAGUARO WEST OWNERS ASSOCIATION
INC

JASON E SMITH

v.

BENNETT WAITES

STEVEN R BEEGHLEY

EVIDENTIARY HEARING SET

This matter was set on the Court's calendar for a Telephonic Status Conference at 10:00 a.m. this date. At the time of the conference, the Court conferred with Mr. Jason E. Smith, counsel for Plaintiff and Mr. Steven R. Beeghley, counsel for Defendant.

The parties anticipate settling this matter. However, counsel request that the Court set this matter for a 1-hour hearing 30 to 60 days from today's date as the Defendant has not responded to counsel's request to forward necessary settlement documentation.

IT IS ORDERED setting an Evidentiary Hearing re: Plaintiff's Request for Preliminary and Permanent Injunctions as set forth in Plaintiff's Verified Complaint on **January 15, 2010 at 10:00 a.m. (time allotted: 1 hour)**, in this Division.

IT IS FURTHER ORDERED continuing this matter on the inactive calendar until the time of the hearing set above.

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**HONORABLE EILEEN WILLETT
MARICOPA COUNTY SUPERIOR COURT
CENTRAL COURT BUILDING
201 W. JEFFERSON
4TH FLOOR, COURTROOM 401
PHOENIX, AZ 85003
602-506-3343**

NOTE: Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.

To ensure a record of your proceeding, you must request the presence of my court reporter by contacting the division or placing your request in writing on a pleading filed with the Court.

At least five (5) judicial days before the hearing, the trial lawyers or their knowledgeable assistants shall appear in this division to present all exhibits. The exhibits will be marked serially as they are listed in the LIST OF EXHIBITS which will be prepared by counsel. All exhibits will be clearly marked to correspond with the list provided. *Counsel are directed to meet in person to exchange the exhibits before coming to court. Counsel will make sure that they do not bring to the clerk a set of exhibits that include duplicate exhibits. Further, counsel shall stipulate to the admission of all exhibits to which there is no objection and present said stipulation to the clerk.* Counsel shall also present original depositions for filing at that time.

If counsel are submitting large charts, blow-ups or maps, please include a small version which can be marked as the exhibit. The blow-ups, charts and/or maps can be used as demonstrative but will not be marked as exhibits and will be returned to counsel.

All exhibits must be submitted with pages secured. Binder clips, rubber bands, and similar materials will not be accepted. Exhibits with a large number of pages may be bound, placed in a notebook (1 exhibit per notebook, please), or secured with an ACCO-type fastener.

Please do not submit exhibits for the hearing in a notebook; they must be removed from the notebook to be marked. This does not include the exhibit being submitted in a notebook because it has more pages than could be secured by a staple.

Please note that the Court utilizes the Exhibit Tracking System (ETS) for the marking of exhibits. The exhibits are marked in numerical order per party, making it necessary to mark all of one party's exhibits before marking the other party's. Accordingly, the Defendant's exhibits

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numbering shall start at the next number following the last of Plaintiff's exhibits. (For example, Plaintiff submits 82 exhibits, which are marked Exhibit 1 through 82. Defendant submits 63 exhibits, which are marked 83 through 145). Please do not combine the parties' exhibits. Each side's exhibits must be submitted separately and in numerical order. Counsel should not reserve exhibit numbers for all Defendant's exhibits, all Plaintiff's exhibits, miscellaneous demonstrative exhibits, and the like.