

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-007758

11/07/2016

HONORABLE DAWN M. BERGIN

CLERK OF THE COURT
L. Nelson
Deputy

DESERT PEAK HOMEOWNERS
ASSOCIATION

EMILY H MANN

v.

PINNACLE AT DESERT PEAK
CONDOMINIUM ASSOCIATION, THE

ALEXIS M FIREHAWK

BENCH TRIAL RESET

Courtroom ECB-713:

9:33 a.m. This is the time set for Status Conference. Plaintiff, Desert Peak Homeowners Association, is telephonically represented by counsel, Troy B. Stratman. Defendant, Pinnacle at The Desert Peak Condominium Association, is telephonically represented by counsel, Alexis M.Firehawk and Joshua M. Bolen.

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held regarding case status and future scheduling including the parties' Stipulated Motion to Continue Trial Scheduled for October 31, 2016 and the parties' Stipulated Motion to Extend Deadline for Trial Briefs.

IT IS ORDERED granting the parties' Stipulated Motion to Continue the Trial date.

THEREFORE IT IS ORDERED vacating the 1-day Bench Trial scheduled on October 31, 2016 and resetting same on **January 17, 2017 at 9:30 a.m.** before:

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**THE HONORABLE DAWN BERGIN
MARICOPA COUNTY SUPERIOR COURT
EAST COURT BUILDING
101 W JEFFERSON
7TH FLOOR, COURTROOM 713
PHOENIX, AZ 85003
602-372-2961**

IT IS FURTHER ORDERED granting the parties' Stipulated Motion to Extend Deadline for Trial Briefs. Counsel shall file their Trial Briefs with the Court no later than **5:00 p.m. on January 9, 2017.**

PROCEDURES FOR SUBMITTING EXHIBITS TO BE MARKED

Exhibits are due to the clerk no later than **5:00 p.m. on January 9, 2017.** The parties shall contact the division clerk at **602-506-1485** at least two weeks prior to trial to make arrangements for delivering exhibits.

Counsel shall submit two sets of their exhibits, one for marking and one for the bench. The bench copy shall be submitted in a binder(s) with number tab dividers.

Depositions will NOT be marked as exhibits. If you plan to read from a deposition or use the deposition for impeachment purposes, you will need to supply an ORIGINAL to the courtroom clerk for filing. Copies will not be filed with the clerk.

- A list with a generic description of each exhibit should be provided. The list should contain the case number, the caption, scheduled trial date and the party submitting the exhibits.
- Exhibits will be marked numerically and consecutively. If your list refers to an exhibit and it is not provided at the time of marking, the numbers of all following exhibits will be moved up. In addition, if duplicate exhibits are submitted, the clerk will remove the duplicate and the numbering will be adjusted accordingly. To avoid confusion during trial, it is essential that counsel avoid submitting duplicate exhibits. *The clerk cannot reserve numbers for exhibits that will be provided at a later date.* Exhibits will be marked as they are received. If Defendant's exhibits are received prior to Plaintiff's exhibits, the Clerk may mark them first with Plaintiff's exhibits following.

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- Each exhibit shall be stapled. If an exhibit is too large to be stapled, that exhibit shall be **securely fastened in order to prevent page separation during witness/jury review. (Note: Black binder clips are NOT considered securely fastened. I suggest you use the silver two-prong fasteners).**
- Exhibits should be separated by a colored sheet of paper or a tabbed divider sheet. The colored sheet or tabbed divider shall reflect the number of the exhibit and should be placed on top of the exhibit.
- Counsel are strongly discouraged from marking exhibits they do not anticipate using during trial. Counsel shall only submit those exhibits to the Clerk they know will actually be used during trial. If counsel wish a document to be used during the course of trial, that document can be marked as an exhibit at that time.
- Blow-ups and large items may only be used for demonstrative purposes. You may bring them to court to use during trial; however, if you would like them to be marked as an exhibit, please submit an 8 ½ x 11 photo of the item.

9:38 a.m. Hearing concludes.