

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2019-004164

11/10/2020

HONORABLE DANIEL G. MARTIN

CLERK OF THE COURT
J. Eaton
Deputy

UNION MARKET 101, et al.

UNION MARKET 101
4616 W SAHARA AVE 385
LAS VEGAS NV 89102

v.

MARK BAINBRIDGE, et al.

DONALD WILSON JR.

RUSSELL YOUNG
4616 W SAHARA AVE 385
LAS VEGAS NV 89102
JUDGE DANIEL MARTIN

MINUTE ENTRY

Defendant Russell Young has mailed documents to the attention of the Court's judicial assistant. As there is no indication these documents were filed with the Clerk of the Court as required by the Rules of Civil Procedure, they are considered to be *ex parte* communications and the Court may not consider them. Accordingly,

IT IS ORDERED rejecting the unfiled documents mailed to this division.

IT IS FURTHER ORDERED mailing the documents back to Mr. Russell Young.

IT IS FURTHER ORDERED setting Oral Argument regarding Defendants' July 2, 2020 Motion for Partial Summary Judgment Re: Damages Arising from Rental Percentages and Leasehold and Defendants' July 13, 2020 Motion for Summary Judgment Re: Breach of Contract on **December 16, 2020, at 1:30 p.m.** (time allotted: 40 minutes). All parties shall call 602-506-9695 or toll free 1-855-506-9695 (participant collaboration code 101760) five (5) minutes prior to the scheduled hearing.

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This matter may be converted to a video conference at a later date.

NOTE: All court proceedings are made digitally in lieu of a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

IF ANY ISSUES IN THE MOTION RELATE TO DISCOVERY PROBLEMS, COUNSEL SHALL CONFER TO ATTEMPT TO RESOLVE THEIR DIFFERENCES OR TO REDUCE THE AREAS OF DISPUTE. COUNSEL ARE REMINDED THAT THE COURT WILL LIKELY IMPOSE SANCTIONS AGAINST THE LOSING PARTY IN ACCORDANCE WITH RULE 37(a)(4), RULES OF CIVIL PROCEDURE.

IT IS FURTHER ORDERED:

Any motion or stipulation for continuance must be filed with the Court no later than four court days prior to the date set for hearing. After that date, no continuances will be granted except for extraordinary circumstances.

All memoranda and affidavits regarding the motion must be filed and copies lodged with this division no later than four court days prior to the date set for hearing.

Counsel are advised that if the answering memorandum is not timely filed in accordance with the Arizona Rules Of Civil Procedure, oral argument may be vacated and the motion will be ruled upon in accordance with Rule 7.1(b), A.R.C.P.

No agreement by the parties to modify the pleading schedule will be honored by the Court unless the Court is notified and approves the parties' agreement. Any such agreement will not change the argument date without a court Order and will, in any event, require that all motions are fully briefed and at issue not later than one full week before the argument date.