

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-013672

11/08/2022

HONORABLE JOHN R. HANNAH JR

CLERK OF THE COURT
A. Walker
Deputy

POWER RANCH COMMUNITY
ASSOCIATION

ALLISON T PRESTON

v.

RAVEN POOLS INC, et al.

LISA I STREU

JASON R MULLIS
CURTIS S EKMARK
STEPHEN FONG
JUDGE HANNAH

MINUTE ENTRY

East Court Building – Courtroom 811

9:01 a.m. This is the time set for a virtual Oral Argument regarding plaintiff's Motion for Sanctions for Violating Rule 4.2, filed September 7, 2022 and defendant Crossfield Products Corp's Motion to Amend Scheduling Order, filed October 12, 2022. Plaintiff, Power Ranch Community Association, is represented by counsel, Curtis S. Ekmark for Allison T. Preston. Defendant, Raven Pools, Inc., is represented by counsel, Lisa I. Streu. Defendant, Crossfield Products Corp., is represented by counsel, Stephen Fong for Jason R. Mullis. All parties appear via the Court Connect platform.

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

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The Court notes that a Notice of Resolution of Dispute Regarding Scheduling Order has been received. The parties are directed to lodge a form of order, with a space for new date for the Trial Setting Conference, for the Court's signature.

Argument is presented.

For the reasons as stated on the record,

The Court finds that counsel for Raven Pools Inc. violated ER 4.2 by contacting the former community manager and former maintenance manager for Power Ranch Community Association without the consent of counsel for Power Ranch Community Association.

IT IS ORDERED that counsel meet and confer regarding how to remedy the issues that arise from these violations.

If the parties are not able to resolve the matter fully by agreement,

IT IS FURTHER ORDERED that those conversations include a discussion of fact-finding in relation to the violation and a method by which the Court can determine the damage done.

IT IS FURTHER ORDERED that Raven Pools Inc. disclose to Power Ranch Community Association any memoranda, notes, correspondence or other documents relating to Ms. Streu's communication with the community manager and maintenance manager. If no such documents exist, then Ms. Streu is directed to provide a written statement to that effect.

IT IS FURTHER ORDERED Ms. Streu may not disclose or permit disclosure of information she received from the witnesses to any person other than counsel for Power Ranch Community Association, absent further order of this Court.

With the concurrence of Crossfield Products Corp. through counsel,

IT IS FURTHER ORDERED the above orders do not require, or permit, disclosure of the protected information to Crossfield Products Corp. or its attorney. Crossfield Products Corp. may request reconsideration of this order in the event counsel believes this order is putting Crossfield at a disadvantage in the litigation.

The Court finds that Crossfield Products Corp. is not responsible for any improper communications with witnesses that may have occurred.

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9:40 a.m. Matter concludes.