

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2024-090162

11/14/2025

-  
HONORABLE FRANK W. MOSKOWITZ

CLERK OF THE COURT  
S. Motzer  
Deputy

SARA ELIZABETH GARDINER, et al.

JOHN P LEADER

v.

STATE OF ARIZONA, et al.

DWAYNE EVERETT ROSS

JOHN T CROTTY  
ELIZABETH L FLEMING  
BENJAMIN ROBERT JEMSEK  
JULIE S KIM  
JUDGE MOSKOWITZ

MINUTE ENTRY

East Court Building – Courtroom 914

1:48 p.m. This is the time set for virtual Oral Argument on the pending and now fully briefed privilege and bifurcation briefs and issues. Plaintiffs Gardiner are represented by counsel, John P. Leader, who appears virtually. Plaintiff Teresa Sangok Kim is represented by counsel, Benjamin Robert Jemsek. Defendant Sung Kuk Choi is represented by counsel, Julie S. Kim. Defendant State of Arizona is represented by counsel, Dwayne Everett Ross.

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

Argument is presented regarding trial bifurcation.

Based on the argument presented,

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**IT IS ORDERED** that there will be one jury trial on affirmative defenses and liability issues and a separate jury trial, if needed, on damages. The jurors in each trial shall be different and the trial on damages, if needed, will be scheduled after the conclusion of the first jury trial.

Further argument is presented related to the “Feasibility Study.”

Based on the argument presented.

**IT IS ORDERED** granting the relief requested by the State.

**IT IS FURTHER ORDERED** that the State shall submit a proposed form of order **no later than November 21, 2025.**

2:41 p.m. Matter concludes.