

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-001341

12/19/2005

HONORABLE BARRY C. SCHNEIDER

CLERK OF THE COURT
D. Raybon
Deputy

FILED: 12/20/2005

AHWATUKEE CUSTOM ESTATES
MANAGEMENT ASSOCIATION

JAMES H HAZLEWOOD

v.

JAMES M RAST, et al.

ROGER R FOOTE

BENCH TRIAL MINUTE ENTRY

Prior to commencement of trial, Plaintiff's Exhibits 1 through 11 and 34, and Defendants' Exhibits 12 through 33 and 35 are marked for identification.

FILED: Deposition of John Opilowsky dated August 22, 2005

1:39 p.m. Trial to the court. Plaintiff is represented by counsel, Scott Carpenter and Tray Richardson. Defendant, James Rast, is present and represented by counsel, Roger Foote.

Court Reporter, Cindy Lineburg, is present.

Neither counsel invokes the Rule of Exclusion of Witnesses.

Discussion is held.

Plaintiff's Exhibits 1 through 11 and 34, and Defendants' Exhibits 12 through 33 and 35 are received in evidence.

Opening statements are presented.

Plaintiff's case:

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John Opilowsky is sworn and testifies.

The witness is excused.

Plaintiff rests.

Defendants' case:

James Rast is sworn and testifies.

The witness is excused.

Defendants rest.

3:03 p.m. Court stands at recess.

3:21 p.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Cindy Lineburg, is present.

Plaintiff's Exhibit 36 is marked for identification and stipulated/received in evidence.

Closing arguments are presented.

IT IS ORDERED taking this matter under advisement

3:55 p.m. Matter concludes.