

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2008-024945

12/05/2008

HON. EDWARD O. BURKE

CLERK OF THE COURT
L. Nixon
Deputy

SAGUARO HIGHLANDS COMMUNITY
ASSOCIATION

J ROGER WOOD

v.

JACK C BILTIS, et al.

MARTIN F DEINHART

MINUTE ENTRY

Prior to commencement of this Hearing, Plaintiff's Exhibits 1 through 5 are marked for identification.

1:34 p.m. This is the time for Order to Show Cause Evidentiary Hearing. Plaintiff, Saguaro Highlands Community Association is represented by counsel, Maura A Abernathy. Defendants, Jack C. Biltis and Leigh Biltis are represented by counsel, Martin F. Deinhart.

Court Reporter, Scott Coniam, is present and a record of the proceedings is made by audio and/or videotape.

Argument is heard on Defendants' Application To Compel Arbitration and whether an Arbitrator is able to issue an Injunction in a case such as this.

The court shall allow the Parties to brief the issue of whether an Arbitrator may issue an injunction.

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Plaintiff shall submit a response to this by 5:00 p.m. on December 10, 2008, and Defendant shall file their reply no later than 5:00 p.m. on December 15, 2008. The court shall enter a ruling on this issue once fully briefed.

The court reminds counsel that they have a responsibility to comply with the Rules of Civil Procedure in regards to disclosure.

IT IS ORDERED resetting the Evidentiary Hearing on **December 24, 2008, at 9:00 a.m. (15 min.)** before:

**HONORABLE EDWARD O. BURKE
OLD COURT HOUSE
1st FLOOR, COURTROOM 101
125 WEST WASHINGTON STREET
PHOENIX AZ 85003
602-506-6538 TEL**

2:25 p.m. Hearing concludes.