

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2016-054885

11/30/2018

HONORABLE CYNTHIA J. BAILEY

CLERK OF THE COURT  
A. Wood  
Deputy

C S A A FIRE & CASUALTY INSURANCE  
COMPANY

DOUGLAS M SCHUMACHER

v.

DISCOVERY AT THE ORCHARD  
HOMEOWNERS ASSOCIATION, et al.

ROBERT GRASSO JR.

JUDGE BAILEY

MINUTE ENTRY

Courtroom 108-NE

10:23 a.m. This is the time set for Trial Management Conference. Counsel Douglas Schumacher is present on behalf of Plaintiff CSAA Fire & Casualty Insurance Company. Counsel Robert Grasso Jr is present on behalf of Defendant Discovery at the Orchard Homeowners Association et al.

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

Motions in limine are argued.

IT IS ORDERED denying Defendants' Motion in Limine #1 re: Plaintiff's Experts filed on October 31, 2018.

IT IS FURTHER ORDERED granting Defendants' Motion in Limine #2 re: Non-Existent Exhibit.

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Trial to a Jury is confirmed for: **January 28, 2019 at 9:30 a.m.** The estimated length of trial is: 4 days. Trial hours are as follows: 9:30 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m. each day.

Trial protocol is discussed.

Counsel agree that the jury in this case will consist of eight jurors plus one alternate juror. The alternate juror will deliberate.

The Court will conduct standard voir dire. Counsel may anticipate 15-20 minutes of follow-up questioning.

The Court uses the struck method for jury selection.

Each side will have five peremptory strikes.

The Rule of Exclusion of Witnesses will be invoked.

With respect to deposition designations that are to be offered at trial other than for impeachment purposes, the Court will resolve objections as follows. At least 24 hours before a party plans to read deposition testimony, that party shall provide the Court with a hard copy of the deposition transcript with the designated portions highlighted in one color, cross-designations highlighted in another color, and the objections written in the margins so the Court can rule on the objections.

IT IS ORDERED that with respect to any exhibit that counsel wish to present to the jury in opening, either the parties are to have an agreement in advance that the exhibit is admitted or the issue shall be brought to the Court's attention on the morning that the trial starts.

IT IS FURTHER ORDERED affirming the Court's previous order that all trial exhibits shall be delivered to this division's clerk no later than **5:00 p.m. on January 18, 2019.**

Discussion is held regarding jury selection, time estimates, bench conferences, offers of proof, examination of witnesses, making objections, and questions from the jury.

With respect to disclosure objections, counsel should be prepared to show the Court any pertinent correspondence concerning disclosures and discovery.

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Let the record reflect that both sides were provided copies of the Court's standard preliminary jury instructions and voir dire script for review.

10:55 a.m. Hearing concludes.