

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-013613

12/17/2025

HONORABLE JOSEPH KREAMER

CLERK OF THE COURT
E. Valadez
Deputy

KARL STEPHENSON

JONATHAN A DESSAULES

v.

SAFARI DRIVE CONDOMINIUM
ASSOCIATION

JOSHUA M BOLEN

ADRIAN R BRAUDE
ERIN E MCMANIS
JUDGE KREAMER

HEARING CONTINUED

East Court Building – Courtroom 811 – VC- CV

8:30 a.m. This is the time set for a virtual Trial Setting Conference to set a trial date. Plaintiff Karl Stephenson, who is not present, is represented by counsel, Adrian R. Braude, who is appearing on behalf of counsel of record, Jonathan A. Dessauls. Defendant Safari Drive Condominium Association is represented telephonically by counsel, Erin E. McManis, who is appearing on behalf of counsel of record, Joshua M. Bolen.

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

Discussion is held on the Court's Order Granting Stipulation to Stay Deadlines, filed September 8, 2025.

Discussion is held regarding the status of the case.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-013613

12/17/2025

Counsel inform the Court they filed a stipulation to stay today's trial setting conference and proceed with mediation in an attempt to resolve this matter.

The Court informs counsel that if a conference is no longer necessary or a motion is filed, counsel shall email the division so they can be removed from the Court's calendar.

Based on the foregoing,

IT IS ORDERED continuing today's **Virtual Trial Scheduling Conference** for the purpose of assigning a trial date on **February 9, 2026 at 8:45 a.m.** (time allotted: 15 minutes) in this division, before:

HONORABLE JUDGE JOSEPH KREAMER
MARICOPA COUNTY SUPERIOR COURT
EAST COURT BUILDING
101 W. JEFFERSON
8TH FLOOR, COURTROOM 811
PHOENIX, AZ 85003
602-372-1764

This matter will be heard by video/audio conference using **Court Connect**. Court Connect is the Superior Court in Maricopa County's video court hearing platform. For more information about Court Connect, please visit: <https://superiorcourt.maricopa.gov/court-connect>. Counsel shall have their calendars available for this proceeding.

A Court Connect video link will be emailed to counsel of record (or self-represented parties) the day before the hearing. All parties must appear by video and ensure their environment is free from distractions.

Join on your computer or mobile app by copying the link below and pasting it into an internet browser

<https://tinyurl.com/jbazmc-cvj07>

Or call in (audio only)

1-917-781-4590,

Phone Conference ID: 75956374#

8:35 a.m. Matter concludes.

Docket Code 004

Form V000A

Page 2

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-013613

12/17/2025

PRETRIAL ORDERS

The Court having been assigned to this case, the parties shall make note of the pretrial orders set out herein. The Court makes every effort to ensure that all orders entered in the case are consistent with these orders. If a party becomes aware that an inconsistent order has been entered in this case, it is that party's responsibility to request clarification as necessary.

Discovery Disputes:

A request for order compelling disclosure or discovery (Civil Rule 37(a)) or for a protective order (Civil Rule 26(c)) must be presented to the Court through the expedited procedure set out in Civil Rule 26(d). Requests for Rule 37 sanctions other than payment of expenses pursuant to Rule 37(a)(5) must be presented by motion, not the expedited Rule 26(d) procedure.

The parties must attempt first to resolve discovery disputes through good-faith personal consultation. A letter or email to the opposing attorney threatening to file a discovery motion if he or she does not respond, without more, does not satisfy the consultation requirement under the rules. If consultation does not resolve the dispute, the parties having the dispute shall email the Judicial Assistant a three-page summary of the dispute pursuant to Rule 26(d)(2), with each side entitled to submit one and one-half pages of that text, and a good faith consultation certificate. No exhibits shall be included with the summaries. Division staff will contact the attorneys if the Court determines, after reviewing the summary, that the parties should submit additional documents,

The judge may decide the issue on the papers, set a telephonic conference, or order full briefing. If the judge decides that a telephonic conference is appropriate, the Judicial Assistant will contact the parties by email or telephone to schedule the conference with the judge. When the dispute has been resolved, the email communications and the written summary will be filed with the Clerk as necessary to make a record.

Motion Practice Generally:

If you choose to combine the memoranda associated with different motions in a single filing, the page limits in Civil Rule 7.1 nevertheless apply to that filing. For example, a "response and cross-motion" is limited to 17 pages, not 17 for the response plus another 17 for the cross-motion totaling 34 pages. All citations must be included in the body of the brief and not in footnotes.

All stipulations and unopposed motions, and motions asking to set or continue a hearing or a deadline, must be accompanied by a proposed order. Litigants are strongly encouraged to submit

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-013613

12/17/2025

proposed orders with *all* routine motions. A proposed order/judgment must be attached as a Word document (abcd.docx), using the proper Turbo Court code. If your system is not allowing you to attach a Word order, please email a copy to the Judicial Assistant so he or she can attach it on our end.

Motions ordinarily will be held for the period provided by the rules for the opposing party's response. A request in the caption or the body of a motion for "expedited ruling" or "expedited consideration" of that motion will be honored only if the motion expressly states that opposing counsel or unrepresented opposing parties have been consulted and do not oppose the relief requested. Otherwise, a request for expedited briefing or ruling must be presented in a separate motion with a proposed form of order, served on the opposing party by the most expeditious method permitted by the rules, and delivered to the Division by email or hand delivery.

A party that has agreed with the opposing party or parties to extend the time for filing a response or reply memorandum must file notice as required by Civil Rule 7.1(g)(2). In the absence of notice, the Court might issue a ruling upon expiration of the deadlines provided in the rules. If that happens, motions for reconsideration will be disfavored.

Oral argument time generally will be divided equally between the plaintiffs' side and the defendants' side, subject to modification when the positions of the parties are not aligned or when equity otherwise requires.

Dispositive Motions:

In most cases the scheduling order will establish a date-certain dispositive motion deadline. If no date-certain deadline has been set, dispositive motions must be filed 120 days before the Final Trial Management Conference or (if no Final Trial Management Conference is scheduled) 120 days before trial. The Court will reject a stipulated extension of the dispositive motion deadline that places the deadline fewer than 120 days before the Final Trial Management Conference, absent an explanation of why an earlier deadline is impractical in the circumstances.

The dispositive motion deadline is not automatically extended for cross-motions. Cross-motions for summary judgment filed after the deadline may be summarily denied in the Court's discretion, particularly if it appears that the filing party delayed for tactical advantage.

Each party is limited to **one dispositive motion on a particular issue or topic**, unless the Court orders otherwise for good cause shown. The Court in its discretion may summarily deny a summary judgment motion directed to an issue that was raised and decided on a Rule 12(b)(6) motion or an earlier summary judgment motion.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-013613

12/17/2025

Daubert Motions:

A motion for a *Daubert* hearing or other hearing on the admissibility of an expert's testimony under Ariz.R.Evid. 702, must be filed no later than the dispositive motion deadline. Failure to file such a motion in a timely manner may be deemed a waiver of (1) any objection that the expert is not qualified to render expert testimony, and/or (2) any objection that any opinion of the expert should be excluded under Ariz.R.Evid. 702.

Motions in Limine:

Motions *in limine* are usually addressed at the Final Trial Management Conference. The Court will entertain a request for an early ruling on a motion *in limine*, however, if such a ruling will facilitate settlement or trial preparation.

Miscellaneous Issues:

All court proceedings are recorded digitally and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for up to three hours and \$280 for any hearing in excess of three hours, not including preparation of transcripts. If no court-employed court reporter is available, the parties will be notified and given an opportunity to bring in a private court reporter on the terms and conditions set out in Supreme Court Rule 30(b)(3).

Should you want an unofficial copy of the proceedings, the parties or counsel may request a CD of the proceedings for a \$30.00 charge. If a CD is requested, please obtain a form from the Self Service Center to request a daily copy of a court hearing or trial proceeding being conducted. Pay the applicable fee **at the Self Service Center**. Attach the receipt showing payment of the fee and present both the receipt and the form to the bailiff. **For copies of hearings or trial proceedings recorded previously, please email Electronic Records Services at ers@JBAZMC.maricopa.gov.**

Requests for interpreters must be made at least ten business days in advance of the hearing date for which the interpreter is needed.

Pursuant to Arizona Supreme Court Administrative Order, trials and evidentiary hearings are presumptively presented in person in the courtroom, not by videoconference. If you intend to

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-013613

12/17/2025

present a witness or witnesses by live videoconference, you must notify the Court and opposing counsel far enough in advance to allow time for objections to be heard and to ensure that the courtroom will be set up for the presentation. **The Court may exercise its discretion to deny requests for videoconference testimony made for the first time on the day of the hearing.**

If you anticipate using this Division's courtroom technology but are not familiar with it, please make an appointment at with this division's courtroom assistant, Tomi Polvorosa, via email at tomi.polvorosa@jbazmc.maricopa.gov, to familiarize yourself with the equipment and make sure that you are able to connect to it with your own electronic devices.

Preferred communication with this Division is via email to the **Judicial Assistant, Katy Snyder, at Katy.Snyder@JBAZMC.Maricopa.Gov**. We are able to respond much quicker to an email. **All email communications with the Judicial Assistant, except authorized *ex parte* communications, must be copied to all attorneys and self-represented parties in the case even if they have no involvement with or interest in the subject of the communication.**

This Division is using Case Center, a statewide exhibit portal. All exhibits must be submitted through Case Center. Inquiries regarding exhibit procedures should be directed to this Division's courtroom clerk Angie Walker at angie.walker@maricopa.gov.