

MAR 04 2024 2:00 PM
L. Mooney, Deputy

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

AZNH REVOCABLE TRUST,
by and through JOHN and SUSAN
SULLIVAN, TRUSTEES, REAL
PARTIES IN INTEREST

Plaintiff

v.

SUNLAND SPRINGS VILLAGE
HOMEOWNERS ASSOCIATION,

Defendant

No. CV2023-096192

~~PROPOSED~~ SCHEDULING ORDER
TIER 2 CASE

(Complaint for Declaratory Judgment)

Assigned to: Judge Rodrick Coffey

Upon consideration of the parties' Joint Report, the court orders as follows:

This case is assigned to discovery Tier 2, pursuant to Rule 26.2.

1. Initial disclosure: The parties have exchanged their initial disclosure statements, or will exchange them no later than **February 23, 2024**.

2. Expert witness disclosure: No expert testimony is anticipated. If necessary, Plaintiff shall disclose areas of expert testimony by **March 15, 2024**, and Defendant shall disclose areas of expert testimony by **March 15, 2024**.

Defendant shall disclose the identity and opinions of experts by **March 15, 2024**, and Plaintiff shall disclose the identity and opinions of experts by **March 15, 2024**.

The parties shall simultaneously disclose their rebuttal expert opinions by **April 19, 2024**.

3. Lay (non-expert) witness disclosure: No non-expert or percipient witnesses are anticipated. If necessary, the parties shall disclose all non-expert witnesses and their expected testimony by **March 15, 2024**.

4. Final supplemental disclosure: Each party shall provide final supplemental disclosure by **July 15, 2024**. This order does not replace the parties' obligation to seasonably disclose Rule 26.1 information on an on-going basis and as it becomes available.

No party shall use any lay witness, expert witness, expert opinion, or exhibit at trial not disclosed in a timely manner, except upon order of the court for good cause shown or upon a written or an on-the-record agreement of the parties.

5. Discovery deadlines: Tier 2 cases are permitted 180 days in which to complete discovery. The time to complete discovery runs from the date of the Early Meeting. The parties will propound all discovery undertaken pursuant to Rules 33 through 36 by **April 26, 2024**. The parties will complete the depositions of parties and lay witnesses by **June 28, 2024**, and will complete the depositions of expert witnesses by **June 28, 2024**. The parties will complete all other discovery by **August 15, 2024**. ("Complete discovery" includes conclusion of all depositions and submission of full and final responses to written discovery.)

6. Settlement conference or private mediation: No settlement conference or mediation: A settlement conference or private mediation is not ordered.

7. Dispositive motions and trial: The parties shall file all dispositive motions by **September 24, 2024**. The parties propose a trial date of no later than **January 17, 2025**, and anticipate the number of days for trial to be **less than one day**.

~~**8. Trial setting conference:** On _____ [the court will provide this date], the court will conduct a telephonic trial setting conference. Attorneys and self-represented parties shall have their calendars available for the conference.~~

~~Defendant will initiate the conference call by arranging for the presence of all other counsel and self-represented parties, and by calling this division at _____ [division's telephone number] at the scheduled time.~~

9. Firm dates: No stipulation of the parties that alters a filing deadline or a hearing date contained in this scheduling order will be effective without an order of this court approving the stipulation. Dates set forth in this order that govern court filings or hearings are firm dates, and may be modified only with this court's consent and for good cause. This court ordinarily will not consider a lack of preparation as good cause.

10. Further orders: The court further orders as follows:

Date 2-27-24



Judge of the Superior Court

Judge Rodrick J. Coffey