

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-009496

05/12/2015

HONORABLE JAMES T. BLOMO

CLERK OF THE COURT
G. Verbil
Deputy

COLETTE MCNALLY

JACOB A KUBERT

v.

SUN LAKES HOMEOWNERS ASSOCIATION ROBERT GRASSO JR.
1 INC

MINUTE ENTRY

Courtroom 411 – East Court Building

9:18 a.m. This is the times set for a Telephonic Status Conference. Plaintiff is represented by counsel, Steven W. Cheifetz. Defendant is represented by counsel, Jenny J. Winkler .

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held with the Court.

IT IS ORDERED setting an Evidentiary Hearing on Plaintiff's Application for Preliminary Injunction on **August 12, 2015 at 9:00 a.m. (time allotted: 4 hours)** before:

Honorable James T. Blomo
East Court Building
101 West Jefferson, Courtroom 411
Phoenix, Arizona 85003-2202
Telephone: (602) 372-4537

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IT IS FURTHER ORDERED that all parties shall hand-deliver to the Clerk of this Division all exhibits to be used at the hearing **at least three (3) business days prior to the hearing**. All hearing exhibits shall have been exchanged prior to that time. Exhibits shall be accompanied with a numbered list of each exhibit and shall be separated with a blank sheet of colored paper. No duplicate exhibits shall be presented for marking. Exhibits are marked in numerical order per party, making it necessary to mark all of one party's exhibits before marking the other party's. Accordingly, the Defendant's exhibits numbering shall start at the next number following the last of Plaintiff's exhibits. (For example, Plaintiff submits 10 exhibits, which are marked Exhibit 1 through 10. Defendant submits 10 exhibits, which are marked 11 through 20). Exhibits **must** be stapled or bound together prior to delivery to the clerk. Upon submission of the exhibits to the clerk, please provide one additional set in a binder for the Judge's reference during the hearing. Please contact the Clerk with any questions regarding procedures for marking and submitting exhibits (602) 506-7504.

IT IS FURTHER ORDERED Counsel shall file, **at least three (3) business days prior to the hearing**, a Joint Hearing Statement signed by all counsel/parties.

- a) **Deposition Summary**: Counsel shall provide to the Court copies of any deposition transcripts to be read in place of live testimony. The offering party will highlight the portions to be read, the other side will highlight Rule 106 additions, and any objections for the Court to rule on will be clearly marked in the margin. The parties are encouraged to agree on narrative summaries of deposition testimony, using brief question and answer excerpts only to emphasize very important testimony or to cover areas of testimony that cannot be summarized to the satisfaction of all counsel. No stipulation should be unreasonably refused.
- b) **Final Trial Witnesses**: The Joint Hearing Statement shall include an exhibit titled: Final Hearing Witness List. This list shall contain the name of each witness a party **actually intends to call** at the hearing, the day on which they intend to call each witness and the **estimated time needed for direct, cross and re-direct examination**.

The proceeding will take place in the Superior Court's "e-courtroom." A record of the proceedings will be made by audio and CD in lieu of a court reporter. 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 courtroom clerk or 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

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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 call Electronic Records Services at 602-506-7100.** Should an official transcript be required, you may request that the court prepare it. The party ordering the transcript must pay for it. To request a transcript, call 602-506-7100 and provide the date of the proceeding, the case number, the case caption, if the transcript is for an appeal, and your name, address, and telephone number.

With this new technology, a court reporter is likely not required and the parties are encouraged to experience the court's video recording system before requesting a court reporter. If a court reporter is required, the Court must receive a written request at least 3 court days before the commencement of the proceeding. Failure to timely request a court reporter will be deemed consent to proceed without a court reporter.

9:22 a.m. Matter concludes.