

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-050888

04/23/2021

HONORABLE SARA J. AGNE

CLERK OF THE COURT
J. Holguin
Deputy

R L WHITMER

R L WHITMER
6333 N SCOTTSDALE RD # 21
SCOTTSDALE AZ 85250

v.

HILTON CASITAS HOMEOWNERS
ASSOCIATION

TIMOTHY D BUTTERFIELD
DOCKET - NE
JUDGE AGNE

MINUTE ENTRY

Courtroom 108 – Northeast Region

2:00 p.m. This is the time set for an Order to Show Cause Hearing via Court Connect. Plaintiff, RL Whitmer is present on behalf of himself. Defendant, Hilton Casitas Homeowners Association, is represented by counsel, Timothy D. Butterfield.

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

Discussion is held regarding the status of the case.

LET THE RECORD REFLECT that counsel, Timothy D. Butterfield accepts service on behalf of Hilton Casitas Homeowners Association. Therefore,

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-050888

04/23/2021

IT IS ORDERED updating the case caption to reflect Timothy D. Butterfield as counsel of record for Defendant, Hilton Casitas Homeowners Association.

IT IS FURTHER ORDERED setting this matter for Evidentiary Hearing on **June 11, 2021 at 1:30 p.m. (time allotted: 3 hours)** via Court Connect.

Please join the hearing via:

<https://tinyurl.com/Courtroom108>

You can also dial in using your phone.

Phone: [+1 917-781-4590](tel:+19177814590) and Conference ID: 929 847 029#

Use of the above link can be made easier by downloading the Microsoft Teams application first; for more on the new platform, including an introduction video and participant guide, please visit: <https://superiorcourt.maricopa.gov/court-connect>

IT IS FURTHER ORDERED that Defendant shall reply to Plaintiff's complaint no later than **May 28, 2021**.

IT IS FURTHER ORDERED that the parties work together on disclosure and discovery in preparation for this hearing.

For electronic and in-person exhibit submission, please visit, <https://www.clerkofcourt.maricopa.gov/services/exhibits-submission>. The webpage will provide instructions and guidance for electronic submission as well as locations for in-person submission of exhibits.

IT IS FURTHER ORDERED that both sides shall deliver to the clerk of this division all exhibits to be used at the hearing no later than **June 2, 2021 at 5:00 p.m.** The exhibits will be marked numerically and consecutively. Plaintiff(s) exhibits will be marked first followed by Defendant(s). All hearing exhibits shall have been exchanged prior to that time. No duplicate exhibits shall be presented for marking. **If either party fails to comply with the steps for marking exhibits, that party's exhibits may be precluded from being marked at the hearing.**

The exhibits presented to the clerk should not be placed in a three-ring notebook.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-050888

04/23/2021

******Each multiple page exhibit must be securely fastened together by staple or other means. NO PAPER CLIPS, BINDER CLIPS, OR RUBBER BANDS may be used. If Acco fasteners are used they must be long enough to fasten securely.******

IT IS FURTHER ORDERED setting a disclosure deadline for **May 14, 2021**.

2:07 p.m. Matter concludes.

NOTE: 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 a half-day and \$280 for a full day.

NOTE: Due to the spread of COVID-19, the Arizona Supreme Court Administrative Order 2020-79 requires all individuals entering a court facility to wear a mask or face covering at all times they are in the court facility. With limited exceptions, the court will not provide masks or face coverings. Therefore, any individual attempting to enter the court facility must have an appropriate mask or face covering to be allowed entry to the court facility. Any person who refuses to wear a mask or face covering as directed will be denied entrance to the court facility or asked to leave. In addition, all individuals entering a court facility will be subject to a health screening protocol. Any person who does not pass the health screening protocol will be denied entrance to the court facility.

NOTE: The Arizona Constitution requires the Arizona Commission on Judicial Performance Review to conduct performance evaluations of superior court judges. The Commission is asking for your help to evaluate Maricopa County Superior Court judges currently undergoing performance review. After your hearing, if the judge you are in front of is undergoing review, a survey will be emailed to you and you can take the survey online. The survey is conducted by the Docking Institute of Public Affairs at Fort Hays State University and is anonymous and confidential. Your participation in the review process is important! More information on Judicial Performance Review can be found at www.azjudges.info.

La Constitución de Arizona exige que la Comisión de la Evaluación del Desempeño Judicial realice evaluaciones de desempeño de los jueces de los tribunales superiores. La comisión pide su ayuda para evaluar a los jueces del Tribunal Superior del Condado de Maricopa a quienes actualmente se les está evaluando su desempeño. Después de su audiencia, si el juez ante el cual comparece está sometido a una evaluación

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-050888

04/23/2021

se le enviará por correo electrónico una encuesta que usted podrá tomar por Internet. La encuesta es realizada por el Docking Institute of Public Affairs de la Fort Hays State University y se mantiene anónima y confidencial. ¡Su participación en el proceso de la evaluación es importante! Para obtener más información sobre la evaluación del desempeño judicial, diríjase a www.azjudges.info.