

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-094502

05/19/2015

HON. MARK F. ACETO

CLERK OF THE COURT

M. Scott

Deputy

TANGLEWOOD H O A

JAMES PORTMAN WEBSTER

v.

JAMES E GOODE

JAMES E GOODE
2371 W HAZELWOOD ST
12
PHOENIX AZ 85015

ALTERNATIVE DISPUTE
RESOLUTION - CCC

SCHEDULING ORDER

The court having reviewed the plaintiff's Proposed Scheduling Order,

IT IS ORDERED as follows:

- The deadline for service of written discovery requests is 5:00 p.m. on **August 28, 2015**.
- The deadlines for disclosure established by Rule 26.1, ARCP (including the obligation to seasonably supplement prior disclosures) remain in full force and effect. The deadlines established in this order in no way supersede the obligation to make earlier disclosure required by Rule 26.1.
- The deadline for disclosure of non-expert witnesses is 5:00 p.m. on **July 2, 2015**.

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- The deadline for disclosure of expert witnesses and their opinions is:
Plaintiff-July 2, 2015
Defendant-August 14, 2015
- The deadline for disclosure of rebuttal expert witnesses and their opinions is 5:00 p.m. on **September 14, 2015**.
- The deadline for completion of discovery is 5:00 p.m. on **November 13, 2015**.
- The deadline for final supplementation of Rule 26.1 disclosure is 5:00 p.m. on **October 30, 2015**.
- The parties shall participate in a mandatory Settlement Conference by **November 13, 2015**. This case is referred to the Court's Alternative Dispute Resolution Office for appointment of a judge *pro tempore* to conduct a settlement conference. Counsel and/or the parties will receive a minute entry from ADR appointing the judge *pro tempore*. Counsel and "pro per" parties will contact the appointed judge *pro tempore* to arrange the date, time, and location for the settlement conference. The judge *pro tempore* is requested to conduct a settlement conference no later than **November 13, 2015**. The Office of Alternative Dispute Resolution will not do the scheduling of the settlement conference so please do not contact that office.

If the parties decide to use a private mediator, they must forthwith advise the Office of Alternative Dispute Resolution and any judge *pro tempore* who has been assigned to conduct the settlement conference.

Additionally, private mediation must be completed by the deadline established above.

All counsel and their clients, or non-lawyer representatives who have full and complete authority to settle the case, shall personally appear and participate in good faith in the Settlement Conference/Mediation. Sanctions may be imposed for failure to participate.

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- No expert witnesses, expert opinions, lay witnesses, or exhibits shall be used at trial other than those disclosed in a timely manner, except for good cause shown or written agreement of the parties.
- The deadline for filing dispositive or partially dispositive motions is 5:00 p.m. on **December 2, 2015** or 140 days before trial, whichever comes first.
- A Telephonic Status Conference is set for **November 23, 2015 at 9:30 a.m.**¹ Counsel who will be lead counsel at trial must participate in the Telephonic Status Conference. Counsel must have their trial calendars available during this conference.

NOTE: Plaintiff shall be responsible for initiating the conference call by calling the court at **602-506-2194**, with all participating parties and counsel on the line, at the date and time specified above.

- If mediation or a settlement conference will not be completed before the above discussed Telephonic Status Conference, counsel must file a Notice no later than seven days before the conference. In the Notice, counsel must (1) explain why mediation or a settlement conference has not been completed and (2) advise of the date on which private mediation or a settlement conference is scheduled.
- If mediation or a settlement conference has not been completed before the Telephonic Status Conference, the court will consider imposing sanctions.

¹ This case is currently on a calendar assigned to Judge Mark Aceto. Effective June 22, 2015, this calendar (including this case) will be reassigned to Judge Robert Oberbillig. Judge Oberbillig's telephone number is (602) 506-2194.

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- The deadlines established by this order are firm and will not be extended or modified by the court absent good cause. Lack of preparation will not ordinarily be considered good cause.
- This case is removed from the Dismissal Calendar and all requirements of Rule 38.1, ARCP, are waived unless and until otherwise ordered by the court.

/ s / HON. MARK F. ACETO

JUDICIAL OFFICER OF THE SUPERIOR COURT