

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

****FILED****

04/06/2016

by Superior Court Admin
on behalf of Clerk of the
Superior Court

04/02/2016

COURT ADMINISTRATION

Ct. Admin
Deputy

CASE NUMBER: CV2015-095897

Turtle Rock I I I Homeowners Association

V.

Lynne A Fisher

The Judge assigned to this action is the Honorable David Talamante

150 DAY ORDER

This action was filed more than 150 days ago. If there is any conflict between this order and any order from the assigned judge, the assigned judge's order governs. This order provides notice of requirements, pursuant to Rule 38.1, Arizona Rules of Civil Procedure. Rule 38.1 applies to all civil actions including those cases subject to and in arbitration, except cases listed under Rule 16 (b) Arizona Rules of Civil Procedure.

IT IS HEREBY ORDERED:

Rule 38.1 will be strictly enforced. The parties shall e-file the following documents:

1. A Joint Report and Proposed Joint Scheduling Order, Rule 16 (b) (c) or an Appeal from Arbitration on or before 8/1/2016 12:00:00AM. If Rule 38.1 is not complied with, the case will be placed on the Dismissal Calendar on the date shown above and it will be dismissed pursuant to Rule 38.1(f) without further notice, on or after 9/29/2016 12:00:00AM. *
2. All parties shall submit their specific objections to witnesses and exhibits listed by other parties in the Joint Pretrial Statement. Reserving all objections to witnesses or exhibits until time of trial will not be permitted.

IF THIS IS AN ARBITRATION CASE. If this case is subject to mandatory arbitration, Rule 74 (b) of the Arizona Rules of Civil Procedure establishes the time for beginning the arbitration hearing. In light of the deadlines established by Rule 38.1 (d), counsel should be sure that arbitrators are timely appointed and that arbitrators complete the arbitration process within the time provided under Rule 38.1(f). As Rule 77(a) of the Arizona Rules of Civil Procedure provides if parties wish to appeal the arbitration decision, they shall file an Appeal from Arbitration and Motion to Set for Trial within 20 days after either the filing of the award or the notice of the arbitrator's decision becomes an award under Rule 76(b), whichever comes first.

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EXTENSIONS OF TIME TO SERVE PROCESS. If there has been an extension of time to serve the summons and complaint, (a) Rule 38. 1(f) still applies and (b) some parties and counsel may not receive a copy of this order. Plaintiff should send copies to each of them and retain a copy of the transmittal letter.

ALTERNATIVE DISPUTE RESOLUTION. Pursuant to Rule 1 6 (b), (c) Arizona Rules of Civil Procedures, counsel for the parties. or the parties if not represented by counsel shall confer regarding the feasibility of resolving the parties' dispute through alternative dispute resolution methods such as mediation or arbitration with a mediator or arbitrator agreed to by the parties. Counsel shall discuss with their clients the resolution of the dispute through an alternative dispute resolution method prior to the conference with opposing counsel.

***RELIEF FROM RULE 38.1 DEADLINES;CONTINUANCES ON THE DISMISSAL CALENDAR.** The rules require a Joint Report and Joint Scheduling Order within 270 days after the action is filed.

For good cause, the assigned judge may extend time for dismissal or continue the action on the Dismissal Calendar to an appropriate date. If an arbitration hearing has been held, or is set in the near future, the date of that hearing should be included in any motion to extend Rule 38.1 deadlines or to continue on the Dismissal Calendar. Stipulations to continue and delays for settlement negotiations are not good cause. Except in extraordinary cases, the court will not grant trial continuances based on late discovery.

Superior Court of Maricopa County - integrated Court Information System
Endorsee Party Listing

Case Number: CV2015-095897

Party Name	Attorney Name	
Turtle Rock III Homeowners Association	Clint G Goodman	Bar ID: 024188
Lynne A Fisher	Erin Selene Iungerich	Bar ID: 031590