

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-001025

01/18/2008

HON. PAUL A KATZ

CLERK OF THE COURT
W. Bobrowski
Deputy

CITY OF SCOTTSDALE

CHARLES K AYERS

v.

EDMUNDS-TOLL CONSTRUCTION
COMPANY, et al.

DALE S ZEITLIN

ROBERT BRUCE WASHBURN
JEFFREY D GROSS

TRIAL MINUTE ENTRY
DAY 8

9:39 a.m. Trial to a Jury continues from January 17, 2008. Plaintiff is represented by counsel, Robert B. Washburn, Charles K. Ayers and Melinda A. Bird. Defendant's representative, Kevin Duermit, is present and represented by counsel, Dale S. Zeitlin, Jeffrey D. Gross and Jennifer A. Ratcliff.

The jury is present.

Court Reporter, Kim Hannan, is present.

Plaintiff's case continues:

Claude Gruen, previously sworn, resumes the stand and testifies further.

The witness is excused.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-001025

01/18/2008

Del Kendall is sworn and testifies.

IT IS ORDERED sustaining the objection to Plaintiff's exhibit numbers 271 and 302.

10:48 a.m. The jury is excused while Court remains in session.

Discussion is held regarding the appraisal amount.

11:05 a.m. Court stands at recess.

11:19 a.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan, is present.

The jury is not present.

Discussion is held regarding courtroom protocol.

11:24 a.m. The jury is present.

Del Kendall resumes the stand and testifies further.

Plaintiff's exhibit numbers 321 and 265 are received in evidence.

12:10 p.m. Court stands at recess.

1:41 p.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan, is present.

The jury is present.

Del Kendall resumes the stand and testifies further.

Plaintiff's exhibit numbers 248 and 249 are received in evidence.

Plaintiff's exhibit number 390 is marked for identification and received in evidence.

Plaintiff's exhibit number 391 is marked for identification.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-001025

01/18/2008

Plaintiff's exhibit number 253 is received in evidence.

2:37 p.m. Court stands at recess.

2:56 p.m. Court reconvenes with respective parties and counsel present.

Court Reporter, Kim Hannan, is present.

The jury is present.

Del Kendall resumes the stand and testifies further.

Defendant's exhibit number 392 is marked for identification and received in evidence.

Defendant's exhibit number 393 is marked for identification and received in evidence.

4:15 p.m. The jury is excused while Court remains in session.

Discussion is held regarding scheduling and evidentiary issues.

4:26 p.m. Court stands at recess until 9:30 a.m. on January 22, 2008.