

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-005662

10/10/2007

JUDGE ROBERT E. MILES

CLERK OF THE COURT
K. Ballard
Deputy

ROBERT J PERELKA

DONALD J NEWMAN

v.

MICHAEL S YAMAMOTO, et al.

FRANK W MOSKOWITZ

TIMOTHY R SMOCK

INACTIVE CALENDAR

10:32 a.m. This is the time set for trial. Plaintiff Robert J. Perelka is present and is represented by counsel, Donald J. Newman. Defendant Michael S. Yamamoto is present and is represented by counsel, Frank W. Moskowitz. Defendant Bryant E. Sewall is present and is represented by counsel, Timothy R. Smock.

A record of the proceeding is made electronically (FTR) in lieu of a court reporter.

The Court is advised the parties have reached a settlement. In that regard, counsel for Defendant Yamamoto states the terms of the settlement agreement on the record. Counsel for Plaintiff and counsel for Defendant Sewall agree with the terms as stated on the record.

Counsel shall prepare and submit to the Court for signature a Stipulation and Order to Dismiss this matter once the appraisal is received. Counsel may include in that stipulation that the Court will retain jurisdiction over this matter should one or more of the parties breach the settlement agreement.

IT IS ORDERED vacating the trial set this date.

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10:42 a.m. Matter concludes.

Based upon the foregoing,

IT IS FURTHER ORDERED placing this matter on the Inactive Calendar for dismissal on **November 9, 2007** without further notice unless prior to that date a proper Judgment is entered or submitted, a Stipulation for Dismissal and form of Order are presented to this division, or other appropriate filing is submitted.