

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-012713

07/09/2012

HONORABLE ARTHUR T. ANDERSON

CLERK OF THE COURT
L. Nelson
Deputy

F N B N-RESCON I, L L C

MICHAEL R SCHEURICH

v.

T & M RANCHING & DEVELOPMENT L L C,
et al.

T & M RANCHING & DEVELOPMENT
L L C
PO BOX 68457
ORO VALLEY AZ 85737-8457

MARY COURY
P O BOX 68457
ORO VALLEY AZ 85737-8457
THOMAS A COURY SR.
P O BOX 68457
ORO VALLEY AZ 85737-8457

MINUTE ENTRY

9:20 a.m. This is the time set for Comprehensive Pretrial Conference. Plaintiff, FNB N-RESCON I, LLC, is telephonically represented by counsel, Michael R. Scheurich. Defendant, Thomas A. Coury, is telephonically present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding case status and future scheduling.

LET THE RECORD REFLECT Plaintiff's Motion for Summary Judgment is currently under advisement and pending a ruling.

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IT IS ORDERED setting the following schedule for disclosure, discovery, and pre-trial procedures unless the parties obtain written modifications from the Court:

- 1) **July 13, 2012** – Defendant, Mr. Coury, shall identify and provide Plaintiff's counsel with the appraisal report which he intends to rely upon;
- 2) **August 3, 2012** - ALL discovery shall be completed;
- 3) **August 27, 2012** – All Motions and Responses thereto shall be filed. No replies are necessary. Each pleading shall not exceed 5 pages in length; and
- 4) Plaintiff's counsel may file a memorandum addressing the issue of who bears the burden of proof in a deficiency matter and Defendants shall have 10 days to file a response. No reply is necessary. Each pleading shall not exceed 3 pages in length.

IT IS FURTHER ORDERED setting this matter for a 1-day Trial to the Court for **September 4, 2012**, at **10:00 a.m.** in this division.

**THIS IS A FIRM TRIAL SETTING
NO CONTINUANCE SHALL BE GRANTED**

Trial days are normally 10:00 a.m. to 4:30 p.m., Monday through Thursday.

Because this is a trial to the bench, no motions in limine shall be filed. Counsel may, if they choose, file trial memoranda no later than **one week** before the trial date. Any party that wants to respond to the legal memoranda may file a response no later than **one day** before the trial date.

A joint pretrial statement (JPTS) prepared in accordance with Rule 16(d) is **due five judicial days before the trial.**

All exhibits shall be exchanged 30 days before trial. Counsel shall confer regarding exhibits so duplicates are avoided and list any stipulations to those exhibits which can be received in evidence. At least **ten days** before trial, counsel or their knowledgeable assistants, shall call the division clerk at (602) 372-3186 to obtain written procedures for marking exhibits. At least **one week** before trial, counsel shall submit all exhibits to the clerk of the division for marking. Original depositions are provided to the clerk for the record and not marked as exhibits.

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To facilitate the court's ability to rule on disclosure objections, on the morning of the first day of trial, each party shall deliver to the court a copy of all disclosure statements that have been sent to the other parties. All responses to non-disclosure objections will require the offering party to state the date, page and line number of the disclosure statement or other place where the disputed evidence was disclosed.

9:28 a.m. Matter concludes.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.