

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-000741

09/22/2014

HON. SALLY SCHNEIDER DUNCAN

CLERK OF THE COURT
S. Uppendahl
Deputy

MANISH THAKRAR

GREGORY G MCGILL

v.

SURENDRA PALA

BIMAL R MERCHANT

STERLING R PETERSON

ORAL ARGUMENT/ RULING/ HEARING SET

Courtroom 702 – Central Court Building

2:47 p.m. This is the time set for Oral Argument. Plaintiff Manish Thakrar is present and is represented by counsel, Gregory G. McGill. Defendant/Counterclaimant is represented by counsel, Bimal R. Merchant. Third Party Defendants are represented by counsel, Sterling R. Peterson.

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

Oral argument is held on the following:

- Plaintiff's Motion for Summary Judgment Re: Loan, filed July 8, 2014;

IT IS ORDERED granting Plaintiff's Motion for Summary Judgment Re: Loan as to liability, but not as to damages.

IT IS FURTHER ORDERED setting an Evidentiary Hearing on the value of the jewelry on **October 30, 2014 at 10:30 a.m.** in this division. Time allotted: 1 hour.

IT IS FURTHER ORDERED Defendants shall have until **October 2, 2014** to identify an independent appraiser who is unrelated and neutral to all parties in this matter.

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IT IS FURTHER ORDERED Plaintiff shall have until **October 9, 2014** to have the jewelry appraised.

IT IS FURTHER ORDERED the appraiser shall have until **October 16, 2014** to provide an appraisal valuation of the jewelry.

IT IS FURTHER ORDERED the parties shall have until **October 16, 2014** to either file an appraisal or reach an agreement and file a notice to vacate the scheduled hearing.

Discussion is held on the following:

- Plaintiff's Motion for Summary Judgment on the Option, filed August 26, 2014; and,
- Defendants' Notice of Settlement and Plaintiff's Objection to Settlement and Request for Disclosure, filed September 9, 2014.

The Court notes Plaintiff's objection and Defendants' response. The objection is overruled.

IT IS ORDERED granting Defendants' Stipulation for Dismissal.

IT IS FURTHER ORDERED setting Oral Argument on November 14, 2014 at 1:30 p.m. on Plaintiff's Motion for Summary Judgment on the Option and Cross-Motion in this division. Time allotted: 1 hour.

IT IS FURTHER ORDERED vacating the Evidentiary Hearing regarding value of the jewelry on October 30, 2014 at 10:30 a.m. and resetting same on **November 14, 2014 at 1:30 p.m.** in conjunction with Plaintiff's Motion for Summary Judgment on the Option and Cross-Motion in this division. Time allotted: 1 hour.

3:16 p.m. Hearing concludes.

IT IS FURTHER ORDERED counsel shall deliver their exhibits to the Clerk for marking no later than **October 31, 2014**. Please provide exhibits in a three-ring binder, each separated by a tabbed numbered divider. Please also provide a separate copy of exhibits to be referenced by the Judge during the hearing in a three-ring binder, each separated by a tabbed numbered divider.

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IT IS FURTHER ORDERED if counsel intends to submit more than 50 exhibits, please do not provide a separate copy of exhibits in a three-ring binder for the Judge. Instead, please provide a courtesy copy of the exhibits in a **thumb drive (flash drive)** for the Judge to access on her laptop computer. If any exhibits are spread sheets, please provide an additional hard copy.

Please note: The Court reserves the right to vacate and reset, at its own discretion, any hearing for which the parties submit pleadings within 48 hours prior to the commencement of the hearing, without prior approval from the Court.