

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2006-013543 (CONSOL.)

06/22/2009

HONORABLE JEANNE GARCIA

CLERK OF THE COURT  
C.I. Miller  
Deputy

SCOTTSDALE CITY

TIMOTHY J THOMASON

v.

HUALAPAI L L C, et al.

DALE S ZEITLIN

J LAWRENCE MCCORMLEY  
STEVEN B PALMER

**STATUS/SCHEDULING CONFERENCE**

**COURTROOM 303-OCH**

2:00 p.m. This is the time set for Telephonic Status Conference. Plaintiff is represented by counsel, Scot Claus, by telephone. Defendant Hualapai is represented by counsel, Dale Zeitlin, by telephone. Steven Palmer, Deputy County Attorney representing Maricopa County, waived his appearance.

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

The court, experiencing technical difficulties with the telephone system, will recess to allow counsel to call back.

2:04 p.m. Court stands at recess.

2:07 p.m. Court reconvenes with respective counsel present.

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

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Case status is discussed regarding all of the outstanding requests and motions that remain in this matter. The court has received the following: Plaintiff's Motion for New Trial (which is fully briefed and considered under advisement as of May 18, 2009); and in conjunction with that Motion, receipt of Defendant's Motion to Treat the City's Motion for New Trial as a Motion for Reconsideration; and Plaintiff's Request for a Rule 16 Scheduling Conference.

Discussion and argument is held regarding Defendant Hualapai's Motion in Limine to Exclude the Appraisal and Opinion of Value of the City's Appraiser and Motion to Compel City to Comply with A.R.S. § 12-1116(A).

For the reasons stated on the record,

**IT IS ORDERED** granting Defendant Hualapai's Motion to Compel and the Plaintiff is to provide another appraisal based on the property with a leasehold interest.

Further discussion is held regarding the parties' discovery deadlines in light of the court's ruling. Defense counsel offers to confer with Plaintiff's counsel and work up a new proposed stipulated scheduling order to be e-Filed (in Word format) for the court's review and signature within the next ten (10) days.

2:567 p.m. Conference concludes.

\* \* \*

**LATER:**

**IT IS ORDERED** denying Defendant Hualapai's Motion in Limine as moot in light of the court's ruling on the Motion to Compel. Should the need arise for a ruling excluding the Zaddock appraisal (transmitted on November 6, 2006) from evidence at trial, another motion in limine will need to be filed.

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