

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2007-014453

12/08/2008

HONORABLE JEANNE GARCIA

CLERK OF THE COURT
C.I. Miller
Deputy

KENNETH D HINRICHS, et al.

KENNETH E CHASE

v.

ANTHONY CRUZ QUITUGUA, et al.

- - - -

JOHN E DEWULF
LARRY O FOLKS
RICHARD V MACK
J KENT MACKINLAY
ROBERT S SINGER

STATUS/SCHEDULING CONFERENCE

COURTROOM 303-OCH

11:03 a.m. This is the time set for Status Conference. Plaintiffs are represented by counsel, Kenneth Chase. Defendants Global Mortgage & Babbini are represented by counsel, Kent MacKinlay. Defendants Desert Cove Appraisal "Services and Sitto are represented by counsel, Corey Richter. Defendants Equity Title and Simms are represented by counsel, John DeWulf. Defendants Scottsdale Financial Solutions and Adam Arena are represented by counsel, Jason Pistiner. Defendant FDIC for First National Bank of Arizona is represented by counsel, Larry Folks.

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

The Court has reviewed the Parties' Joint Pretrial Statement and Mr. DeWulf's Supplemental Pretrial Statement. Court and counsel discuss the discovery deadlines set out in

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6. Mandatory Settlement Conference: The parties remaining in this action shall participate in a private mediation by: **April 30, 2009.**

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IT IS ORDERED that the parties participate in private mediation and the mediation shall be concluded by **April 30, 2009.** The cost of the mediation shall be borne equally by the parties. **A decision maker for each party must participate in the mediation.**

IT IS FURTHER ORDERED setting a Scheduling Conference to Set Trial Date on **June 29, 2009, at 9:30 a.m. (15 mins.)**, in this Division, with all counsel to appear personally on the above-noted date and time.

All motions, responses, replies and other court requested filings in this case must be submitted INDIVIDUALLY. Counsel *shall not* combine any motion with a responsive pleading. All motions are to be filed separately and designated as such. No pleadings will be accepted if filed in combination with another.

With respect to discovery disputes, counsel are also advised that, as the Court interprets Civil Rule 37(a)(2)(c), an exchange of correspondence between counsel is not sufficient to satisfy the “personal consultation” requirement of the rule, except in extraordinary circumstances. At a minimum, counsel must speak to each other by telephone to attempt to resolve the dispute in good faith before involving the Court.

The parties shall contact the Court’s judicial assistant (602-372-0610) to request a short telephonic conference to discuss any discovery disputes or any other matter that may impact the parties’ ability to resolve this case in a just, speedy, and inexpensive manner **prior** to filing any motions.

11:35 a.m. Conference concludes.