

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2008-011414

08/21/2009

HON. JOHN REA

CLERK OF THE COURT  
L. Gilbert  
Deputy

FISHER FINANCIAL GROUP  
INCORPORATED

STEPHEN A U'REN

v.

LOGAN REAL ESTATE APPRAISAL SERVICE    BRADLEY R JARDINE  
L L C, et al.

MINUTE ENTRY

East Court Building – Courtroom 414

1:35 p.m. In chambers: This is the time set for Oral Argument on Motions in Limine. All parties appear telephonically. Plaintiff is represented by counsel, Stephen A. U'Ren. Defendants are represented by counsel, Bradley R. Jardine and Michael Warzynski.

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

Argument is presented.

As to Plaintiff's Motion in Limine #1 re: any questions, documents or testimony concerning Plaintiff's lending practices,

IT IS ORDERED denying Plaintiff's Motion.

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As to Plaintiff's Motion in Limine #2 re: any questions, documents or testimony that attempts to place any fault on Mark or Leah Bean in any phase of the loan transactions,

IT IS ORDERED deny Plaintiff's Motion. However, any of the Beans' credit problems or reasons for not paying that the Plaintiff did not know about and could not have reasonable considered in issuing the loan will be excluded.

As to Plaintiff's motion in Limine #3 re: any matter concerning any loans taken out by Mark and/or Leah Bean after the loan transaction in this case was completed,

IT IS ORDERED granting Plaintiff's Motion.

As to Plaintiff's Motion in Limine #4 re: any comment by the Defendant regarding the absence of Greg Gillis,

IT IS ORDERED granting Plaintiff's Motion.

As to Plaintiff's Motion in Limine #5 re: any evidence, testimony or document concerning Jay Josephs' appraisal of the Peoria property as of June 1, 2007,

IT IS ORDERED denying Plaintiff's Motion.

As to Motion in Limine #6 re: any evidence by Jan Sell that Defendant King Ruby met the standard of care,

IT IS ORDERED granting Plaintiff's Motion.

As to Defendants' Motion in Limine No. 1 re: Consent Agreement with the Arizona Board of Appraisal, the Court reserves ruling at this time.

As to Defendants' Motion in Limine No. 2 re: Opinions or Statements from Plaintiff's Expert, W. Roy Tolson, That Were Not Disclosed,

IT IS ORDERED denying Defendants' Motion.

As to Defendants' Motion in Limine No. 3 re: Plaintiff's Alleged Efforts to Sell the Property,

IT IS ORDERED granting Defendants' Motion.

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As to Defendants' Motion in Limine No. 4 re: Plaintiff's Speculative or Unwarranted Damages Theories,

IT IS ORDERED granting Defendants' Motion as to any damages associated with what the Plaintiff would have realized from the contract with the Beans and denied as to the direct damages as to the consequential damages that are in the category of expenses incurred by Plaintiff as owner of the property.

2:39 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>