

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-002655

04/20/2012

HONORABLE GEORGE H. FOSTER, JR.

CLERK OF THE COURT
J. Polanco
Deputy

ARIZONA BANK & TRUST

SCOTT W HULBERT

v.

M D C DOBSON L L C, et al.

M D C DOBSON L L C
NO ADDRESS ON RECORD

RAYMOND G TIEDJE
7601 E INDIAN BEND RD STE 3024
SCOTTSDALE AZ 85250
NANCY TIEDJE
7601 E INDIAN BEND RD STE 3024
SCOTTSDALE AZ 85250

MATTER UNDER ADVISEMENT

Prior to commencement of Hearing, Plaintiff's Exhibits 1 and 2; and Defendants' Exhibits 3 and 4 are marked for identification.

East Court Building – Courtroom 513

9:11 a.m. This is the time set for Fair Market Value Hearing. Plaintiff is represented by counsel, Scott W. Hulbert, with bank representative, Bobby Thompson, also present. Defendant Raymond G. Tiedje is present on his own behalf.

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

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-002655

04/20/2012

The Court notes there are two pending motions; Plaintiff's Motion to Strike Disclosed Expert Witness and Appraisal, which was electronically filed February 13, 2012; and Defendants' Motion to Strike Disclosed Appraisal, which was filed March 8, 2012. In that regard, the parties are advised that in lieu of Motions to Strike, the Court shall consider them as Motions in *Limine*. Based on the matters presented and as set forth on the record,

IT IS ORDERED granting Plaintiff's Motion.

IT IS FURTHER ORDERED denying Defendants' Motion.

Plaintiff's case:

Bobby Thompson is sworn and testifies.

Plaintiff's Exhibit 1 is received in evidence.

The witness is excused.

Jared Nathan Huish is sworn and testifies.

Plaintiff's Exhibit 2 is received in evidence.

The witness is excused.

Plaintiff rests.

Defendant rests.

Closing statements are presented to the Court.

The Court advises Mr. Tiedje that under Rule 39, it shall reopen the evidentiary portion of the record to permit his statements to the Court be considered his testimony as to his opinion of the fair market value of the property.

Plaintiff requests the opportunity to examine the Defendant.

Raymond G. Tiedje is sworn and testifies.

The witness is excused.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-002655

04/20/2012

IT IS ORDERED taking this matter under advisement.

10:03 a.m. Matter concludes.

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee. Counsel/party shall have the right to refile relevant exhibits as needed in support of any appeal. Refiled exhibits must be accompanied by a Notice of Refiling Exhibits and presented to the Exhibits Room of the Clerk's Office. The Court's exhibit tag must remain intact on all refiled exhibits.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

ISSUED: Exhibit/Record Release Form (1).

FILED: Exhibit Worksheet.

FILED: Trial/Hearing Worksheet.

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.