

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
10/07/2002

09/25/2002

CLERK OF THE COURT
FORM V000A

HON. ROLAND J. STEINLE

J. Escarcega
Deputy

CV 2001-003167

FILED: _____

PATRICIA L NIBALI, et al.

JAMES J LEONARD JR

v.

BANNER HEALTH SYSTEM, et al.

CALVIN L RAUP

DONALD H SMITH
DONALD DAUGHTON

DISCOVERY DISPUTE HEARING

4:03 p.m. This is the time set for a discovery dispute hearing. Plaintiff is represented by Co-counsel Kenneth Clancy and Tyrone Mitchell. Defendant Cigna is represented by Co-counsel Donald H. Smith and Ronald Fineberg.

Court reporter Natalie Estrada is present.

Plaintiff's Request for documents argued.

IT IS ORDERED counsel for the hospital, Calvin Raup, shall contact a person with knowledge to prepare a document for the Court which explains how records are kept and what burden would be placed on the hospital to provide the documents related to children's records the Plaintiff requests.

IT IS FURTHER ORDERED counsel for Cigna, shall contact a person with knowledge to prepare a document for the Court which explains how records are kept and what burden would be placed on

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Cigna to provide the records on caesarian rates requested by Plaintiff.

IT IS FURTHER ORDERED the Court will appoint a Special Master **Donald Daughton** to resolve the early performance appraisal issue.

Defendant Banner Health's Motion to Strike Disclosure Statement re: Nurse Thomas argued.

IT IS ORDERED taking this matter under advisement.

Defendant Banner Health's Motion for Summary Judgment will be set for oral argument if the Rule 56(f) Motion is granted.

Defendant Samaritan's request to recover fees and costs incurred in responding to the Motion to Strike.

IT IS ORDERED that should any discovery disputes arise, prior to filing discovery motions, counsel shall MEET AND CONFER pursuant to Rule 37, then telephonically contact the court to set up a telephonic conference before any motions are filed.

4:52 p.m. Matter concludes.

NOTICE

Effective **December 18, 2002**, due to Judicial Rotation, this Court's Civil Calendar will be transferred to,

**HONORABLE ANNA M. BACA
SUPERIOR COURT OF ARIZONA
EAST COURT BUILDING
101 WEST JEFFERSON
COURTROOM 811 - 8TH FLOOR
PHOENIX, ARIZONA 85003**

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