

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-013716

06/21/2004

HON. FRANK T. GALATI

CLERK OF THE COURT
C. Danos
Deputy

FILED: 06/23/2004

DOWNEY SAVINGS AND LOAN
ASSOCIATES F A

MARC H LAMBER

v.

MARY KATHY MCKINNON, et al.

JEFFREY R HOVIK

CONTINUED TELEPHONIC RULE 16 CONFERENCE SET

IN CHAMBERS. This is the time set for Rule 16 comprehensive pretrial conference. Plaintiff is represented by counsel, Marc H. Lamber, who personally appears. Defendants are represented by counsel, Jeffrey R. Hovik, who appears telephonically.

No court reporter is present or requested.

Court and counsel discuss case status.

Plaintiff will notify defendants within a week if defendants have obtained all disputed documents through obtaining the Radiant file from a third party. Defendants will then file a motion to compel production by no later than **July 9, 2004** if the parties are unable to resolve the disclosure dispute.

IT IS ORDERED adopting the following stipulated schedule:

1. Expert disclosure—plaintiff has already made disclosure concerning appraisal and may retain an expert to rebut or address defendants' expert testimony regarding the making of a loan.

Defendants' expert disclosure is due by **October 31, 2004**.

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Rebuttal opinions by both parties are due by **November 30, 2004**.

2. Non-expert witnesses—**October 31, 2004**.
3. Discovery cutoff and substantive/dispositive motion deadline—**January 28, 2005**.
4. Settlement conference/mediation will be conducted by no later than **January 28, 2005**.

IT IS FURTHER ORDERED setting a continued telephonic Rule 16 scheduling conference for December 3, 2004 at 8:45 a.m. before Judge Katz. Plaintiff is to initiate the call to the court.

Matter concludes.