

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-002069

11/03/2003

HONORABLE JANET E. BARTON

CLERK OF THE COURT
D. Fitzpatrick
Deputy

FILED: 11/14/2003

HELLER FIRST CAPITAL CORP

T MICHAEL DAGGETT

v.

SOUTHWEST HOSPITALITY GROUP L L C, et al. ALFRED W RICCIARDI

ROD COFFEY

MINUTE ENTRY

8:35 a.m. This is the time set for an Evidentiary Hearing. Plaintiff Heller First Capital Corp. is represented by counsel, T. Michael Daggett and Rod Coffee. Defendants Southwest Hospitality Group, LLC and Bharat Patel are represented by counsel, Alfred W. Ricciardi. Appraisal Southwest company representatives, Thomas E. Heineman and Christie Hamilton are present.

Court reporter, Margie Riley, is present.

Opening statements.

Plaintiff's case:

Upon stipulation, Plaintiff's exhibits 1 through 17, inclusive, are marked for identification and received in evidence.

Plaintiffs rest.

Defendants' case:

Thomas E. Heinemen is sworn and testifies.

The witness is excused.

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Upon stipulation, Defendants' exhibits 18 through 23, inclusive, are marked for identification and received in evidence.

Defendants' exhibit 24 is marked for identification but not received in evidence.

Defendants rest.

Closing arguments.

Both sides rest.

IT IS ORDERED as follows:

1. Plaintiffs are to provide Defendants with a copy of the appraisal for the property on East Van Buren Street by no later than **November 24, 2003**.

3. Plaintiffs are to provide Defendants with a listing of sales documents and appraisals relating to the sales of non-operating hotel-motels in the Phoenix area by no later than **November 24, 2003**.

2. Plaintiffs may submit to the Court a Motion for Reconsideration by no later than **December 10, 2003**.

4. Defendants may petition the Court for another hearing to address the information set forth in the additional documents and to reopen the evidence by no later than **December 8, 2003**.

The Court advises Defendants' counsel that if a petition is not received by December 8, 2003, the Court will issue a ruling in due course after that time.

IT IS ORDERED taking this matter under advisement.

10:20 a.m. Matter concludes.

FILED: Hearing Worksheet
Exhibit Worksheet

ISSUED: Exhibit Release Form (1)