

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
09/04/2002

08/23/2002

CLERK OF THE COURT  
FORM V000A

HONORABLE ROGER W. KAUFMAN

W. Bobrowski  
Deputy

CV 2000-008966

FILED: \_\_\_\_\_

STATE OF ARIZONA, et al.

TERRENCE E HARRISON

v.

UNIVERSAL TRADE LLC, et al.

DALE S ZEITLIN

MINUTE ENTRY

1:35 p.m. This is the time set for Trial Management Conference. Plaintiffs are represented by above-named counsel. Defendants are represented by above-named counsel.

Court Reporter, Sharon Palmer, is present.

Trial date: September 24, 2002; jury panel of 20; jury of 8, requiring 6 of 8 for a valid verdict.

Rule of Exclusion of Witnesses is invoked.

Juror notebooks are discussed.

Plaintiff's exhibit numbers 1, 3, 4, and 5 are received in evidence.

Objection has been reserved on Plaintiff's exhibit number 2.

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Plaintiff's exhibit numbers 6 and 7 will be marked for identification only.

Objections are sustained on Plaintiff's exhibit numbers 8-14.

Defendant's exhibit numbers 1, 3, 5 and 6 are received in evidence.

Defendant's exhibit number 2 is withdrawn.

Objections are reserved on Defendant's exhibit number 4

The objections to the report in Defendant's exhibit number 7 is sustained, however, objections to the enlarged excerpts from the report are reserved.

Objections are sustained to Defendant's exhibit numbers 8-16.

Counsel will have up until seven days before trial to submit blow-up copies of admitted exhibits to the Clerk of this division.

The use of depositions at trial is discussed.

Each side will have a maximum of 30 minutes for either direct or cross-examination of each witness, except as follows:

<u>WITNESS</u>	<u>MINUTES PER SIDE</u>
Mark Wirth	90
Peter Martori	90

PROCEDURE

Voir dire	12
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Openings

25

Jury instructions are discussed. Counsel are to meet and confer regarding a stipulation and fax to Court and counsel no later than September 17, 2002.

Counsel and the Court discuss making of legal objections only, burden on the proponent to show disclosure when there is an objection, pace of trial, scheduling of witnesses, bench conferences, and method of giving jury instructions.

Rulings on motions *in limine* and other orders:

- Plaintiff's motion in limine regarding any of the partners of Universal Trade being called as witnesses is granted on stipulation.
- Plaintiff's motion in limine regarding the property being subject to an easement is granted without objection on the grounds that the Defendant has no such evidence or testimony to present.
- Plaintiff's motion in limine regarding disclosure of Mr. Martori's appraisal is addressed. Disclosure must be fair. If the point is wholly new it will be excluded.
- Defendant's motion in limine regarding exclusion of alleged listings is taken under advisement. Plaintiff's counsel is to fax to Court and counsel a written response by 5:00 p.m. on August 29, 2002. Counsel for the Defendant is to fax a reply to Court and counsel before 5:00 p.m. on September 6, 2002.

3:00 p.m. Conference concludes.

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**WE REQUEST THAT ALL ATTORNEYS AND SELF REPRESENTED PARTIES  
PROVIDE THEIR E-MAIL ADDRESSES TO:**

[cthiel@superiorcourt.maricopa.gov](mailto:cthiel@superiorcourt.maricopa.gov)