

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2003-000900

12/02/2003

HONORABLE RUTH H. HILLIARD

CLERK OF THE COURT  
T. Pavia  
Deputy

FILED: 12/03/2003

PHOENIX CITY

LINDA J BEIER

v.

KIMBALL VAIL BERNARD, et al.

DALE S ZEITLIN

MINUTE ENTRY

8:50 a.m. This is the time set for telephonic pretrial status/scheduling conference. Present telephonically on behalf of the Plaintiff is Linda J. Latz and on behalf of the Defendant is Dale S. Zeitlin.

No court reporter is present.

Pretrial/scheduling matters are discussed.

IT IS ORDERED that the State's updated appraisal is to be provided to the Defendants by **January 9, 2004**.

IT IS FURTHER ORDERED that Defendant's appraisal be completed by **March 2, 2004**.

A Joint Pretrial Statement that includes requests for jury instructions, voir dire and objections to exhibits is to be delivered to this division no later than **June 25, 2004**.

1. **TRIAL DATE**: Jury Trial is set on **July 27, 2004 at 9:30 a.m.** before the Honorable Ruth Hilliard, Central Court Building, Courtroom 402. Court and counsel will meet at 9:15 a.m. Jury selection will begin as soon as the jury panel arrives. Additional orders are as follows:

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2. **LENGTH OF TRIAL:** 3 day(s).

3. **TRIAL MANAGEMENT CONFERENCE:** Court and counsel will meet for a Trial Management Conference, hearing any objections to exhibits, argument on motions in limine and settlement of jury instructions on **July 2, 2004 at 9:00 a.m.** Blanket objections to exhibits and reserving objections until time of trial are not permitted. Any exhibit not exchanged before the Trial Management Conference is waived. Any objection, other than waiver by failure to exchange an exhibit, must be made before or at that conference or it is waived. The Court will rule on admission of exhibits (except illustrative exhibits made during trial) at the Trial Management Conference.

4. **SUBSTANTIVE MOTIONS:** The last day to file substantive motions is **April 23, 2004.**

5. **MOTIONS IN LIMINE:** The last day to file motions in limine is **June 18, 2004.** Late motions for summary judgment or for dismissal are not motions in limine. See State v. Superior Court, 108 Ariz. 396, 499 P.2d 152 (1972). Motions in limine will be ruled on at the Trial Management Conference.

6. **EXPERT OPINIONS:** Experts' opinions and their factual bases are due according to Rule 26.1, A.R.C.P.

7. **CUTOFF FOR DELIVERY OF DISCLOSURE AND DISCOVERY:** 60 days before trial.

**\*\*\*ATTORNEYS AND ASSISTANTS—PLEASE READ PARAGRAPH 8\*\*\***

8. **EXCHANGE AND DESIGNATION OF EXHIBITS:** Except illustrative exhibits made during trial, all exhibits are to be exchanged 30 days before the Trial Management Conference. Counsel are directed to meet and confer regarding exhibits so that duplicates are avoided. At least one business day before the Trial Management Conference, (1) deposition originals are to be filed, not listed as exhibits and (2) the parties shall number their exhibits serially with Plaintiff's first, Defendant's second and provide a coordinating list of the exhibits to the Court, and the court clerk. Written stipulations to admit exhibits in evidence are encouraged. Following the Trial Management Conference, counsel may contact the division's clerk at (602) 506-3348 regarding exhibit procedures.

9. **JUROR NOTEBOOKS:** Jurors use and appreciate tabbed, indexed, juror notebooks. The contents must be in evidence by stipulation or, for exhibits, by Court ruling. Key exhibits, diagrams, photographs, timelines, non-argumentative summaries of positions on liability and damages and other information helpful to jurors may be included.

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10. **DEPOSITIONS**: Jurors prefer narrative summaries, with brief excerpts of deposition question and answer testimony, to reading in of many pages of testimony.

9:10 a.m. Conference concludes.