

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-006025

05/04/2007

HON. MARK F. ACETO

CLERK OF THE COURT
M. Sahli
Deputy

ROBERT M PEET

THEODORE MATZ

v.

CHAD TURETZKY, et al.

CHAD TURETZKY
PO BOX 57612
PHOENIX AZ 85079

SUSAN TURETZKY
NO ADDRESS ON RECORD

MINUTE ENTRY

1:44 p.m. This is the time set for Comprehensive Pretrial Management Conference. Plaintiff is represented by counsel, Theodore Matz and Jody Gallow. Defendant Chad Turetzky and Defendant Susan Turetzky are both present on their own behalf.

Court reporter, Sally Stearman is present.

Discussion is held re the status of the case.

The parties stipulate and agree that the following facts are the true facts and will be binding throughout this litigation. Defendant Susan Turetzky has no ownership interest in the subject property. Plaintiff Robert Peet and Defendant Chad Turetzky each own one-half of the

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subject property. Peet and Chad Turetzky own the subject property as tenants in common. Susan Turetzky will sign a Quit-Claim Deed presented by Plaintiff's counsel at the next status conference. The Court accepts these stipulations.

IT IS ORDERED vacating Trial to the Court set for May 10, 2007.

IT IS FURTHER ORDERED the parties shall submit a list of state certified or MAI certified appraisers to the Court. Each party shall each have one strike regarding the names and the Court shall decide which appraiser will determine the value of the property in question.

The parties agree that the value of the subject property determined by the appraiser will be binding for all purposes in this litigation. The parties reserve the right to argue that the date of valuation should be different than the date of appraisal and to argue to the Court there should be an adjustment to the appraisal value.

IT IS ORDERED the parties shall bear the cost of the appraisal equally. Those payments shall be made prior to the appraisal. Once the appraiser has been selected the parties shall fully cooperate with the appraiser to expedite the performance of the appraisal.

Plaintiff and Defendant Chad Turetzky stipulate and agree to the following. Chad Turetzky will have a right to buy the subject property for the appraisal price. This right will expire unless Chad Turetzky offers to buy the property and obtains a loan commitment within forty days of issuance of the appraisal report. In the event Chad Turetzky does not do so, the property will be sold and Plaintiff and Defendant Chad Turetzky will split the net sales proceeds on a 50-50 basis. Neither party may encumber the subject property going forward. In the event the parties have any dispute regarding the sale of the subject property, the dispute will be resolved by this judge. The decisions of this judge in this regard will be binding and non-appealable. The Court accepts these stipulations.

IT IS FURTHER ORDERED setting a Status Conference for **May 11, 2007 at 11:00 a.m.** All parties shall appear in person.

2:38 p.m. Matter concludes.