

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2005-011498

07/19/2007

HONORABLE KRISTIN HOFFMAN

CLERK OF THE COURT
L. Nixon
Deputy

PHOENIX CITY

DAVID A PENNARTZ

v.

DAVID F BOATWRIGHT, et al.

DAVID F BOATWRIGHT
3121 S 51ST AVE
PHOENIX AZ 85043

JOHN W PAULSEN
FRANCES SUSAN MCGINNIS
DOUGLAS G MARTIN

MINUTE ENTRY

8:51 a.m. This is the time set for Oral Argument. Plaintiff, the City of Phoenix, is represented by counsel, David A. Pennartz. Defendant, David F. Boatwright, is present on his own behalf. Terry Floyd is present.

A record of the proceeding is made by CD/videotape in lieu of a court reporter.

Discussion is held.

Ms. Floyd may not represent Mr. Boatwright as she is not an attorney.

IT IS ORDERED denying Defendant's Request to Quash Mr. Boatwright's deposition. Mr. Boatwright's deposition is to be taken as scheduled and without Ms. Floyd present.

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Mr. Boatwright has given the Court tapes. The Court takes no action with regard to the taxes.

Argument is held.

Regarding Supplement to Plaintiff's Motion to Preclude Defendant's Appraisal Expert Testimony, Opinions and Appraisal Report Pursuant to Stipulation of the Parties, Order of the Court, and for Failure to Meet Extended Stipulated and Court-Ordered Deadlines for Disclosure and for an Award of Plaintiff's Attorney's Fees and Costs,

IT IS ORDERED allowing Mr. Repsold's appraisal only with live testimony by Mr. Repsold at Trial.

IT IS FURTHER ORDERED that Plaintiff's counsel will be allowed to take Mr. Repsold's deposition and this will be completed by **September 1, 2007**.

IT IS FURTHER ORDERED that F. Susan McGinnis, attorney at law, will return any and all of Mr. David F. Boatwright's legal files in her possession as soon as possible. Mr. Boatwright has stated in open Court that he has requested these files from her several times with no response.

The Court informs Defendant, Mr. Boatwright, any accusations of criminal conduct he has against his prior attorneys cannot be handled by this Court. The Court refers him to the State Bar of Arizona regarding these issues.

LET THE RECORD REFLECT, in reference to the interrogatories, The Defendant feels his property is worth \$10.00 a foot.

9:09 a.m. Court is at recess.

9:22 a.m. Court reconvenes with respective parties.

A record of the proceeding is made by CD/videotape in lieu of a court reporter.

IT IS FURTHER ORDERED setting a Fry Hearing to determine whether Ms. Floyd has the expertise to qualify as an expert in real estate valuation on **August 3, 2007 at 4:30 p.m. (time allotted: 30 minutes)**. If Ms. Floyd qualifies, she may be deposed.

IT IS FURTHER ORDERED Defendant will disclose a witness to testify as to the area of property taken by **5:00 p.m. on July 25, 2007**.

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IT IS FURTHER ORDERED Defendant will disclose any written or oral communications with the City of Phoenix or Mr. Repsold to Plaintiff's counsel by **5:00 p.m. on July 25, 2007.**

The City withdraws the request re Sandra Westfall.

9:38 a.m. Hearing concludes.