

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2008-005843

04/08/2008

HONORABLE PETER SWANN

CLERK OF THE COURT
D. Monroe
Deputy

STATE OF ARIZONA, et al.

RON ASCHENBACH

v.

TOM LOBIANCO, et al.

TOM LOBIANCO
DAWN LOBIANCO
16009 S 27TH DR
PHOENIX AZ 85045

SAL LOBIANCO
NO ADDRESS ON RECORD

MINUTE ENTRY

9:48 a.m. This is the time set for Order to Show Cause Hearing regarding Plaintiffs' Complaint in Condemnation and Application for Immediate Possession. Plaintiffs, State of Arizona and Victor M. Mendez, are represented by Assistant Attorney General, Ron Aschenbach. Defendants, Tom Lobianco and Dawn Lobianco, are present on their own behalf.

Court Reporter, Judie Bryant, is present.

Plaintiffs have not been able to serve Defendant Sal Lobianco, who is Tom Lobianco's father. Defendant agrees to provide counsel for Plaintiffs with an address for Sal Lobianco, who may reside out-of-state.

Discussion is held regarding the Complaint and Application, including ownership, current use of the property, value by Plaintiffs' expert, issues relating to the process server and a

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2008-005843

04/08/2008

complaint procedure through the Clerk's Office, evidence which may be presented at the Evidentiary Hearing for the Court's consideration, and possible inadmissibility of Defendants' appraisal.

IT IS ORDERED setting Evidentiary Hearing in this matter on **May 21, 2008 at 8:30 a.m. (time allotted: 15 minutes)**, in this Division. If Defendant Sal Lobianco resides out-of-state, he may appear telephonically at the Evidentiary Hearing.

**HONORABLE PETER B. SWANN
MARICOPA COUNTY SUPERIOR COURT
OLD COURT HOUSE
125 W. WASHINGTON
2nd FLOOR, COURTROOM 202
PHOENIX, AZ 85003
602-506-7959 TEL
602-372-8545 FAX**

At least five (5) judicial days before the hearing, the trial lawyers or their knowledgeable assistants, or pro per litigants shall appear in this division to present all exhibits. The exhibits will be marked serially as they are listed in the LIST OF EXHIBITS which will be prepared by counsel. All exhibits will be clearly marked to correspond with the list provided. ***Counsel are directed to meet in person to exchange the exhibits before coming to court. Counsel will make sure that they do not bring to the clerk a set of exhibits that include duplicate exhibits.*** Counsel should not reserve exhibit numbers for all Defendant's exhibits, all Plaintiff's exhibits, miscellaneous demonstrative exhibits, and the like. Counsel shall also present original depositions for filing at that time. Written stipulations to admit specified exhibits in evidence are encouraged.

The parties are encouraged to meet and discuss resolution of this matter.

IT IS FURTHER ORDERED approving and settling formal written Amended Order to Show Cause signed by the Court on April 8, 2008 and filed (entered) by the Clerk on April 8, 2008.

10:04 a.m. Matter concludes.

Let the record reflect that a conformed copy of the Amended Order to Show Cause is provided to counsel for Plaintiffs.