

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2007-001379
CV 2007-001553

05/22/2009

HON. MARK F. ACETO

CLERK OF THE COURT
R. Aguilera
Deputy

PHOENIX CITY

CHARLES K AYERS

v.

ERNEST M LINSENMEYER, et al.

JAY DUSHOFF

TITLE SECURITY AGENCY OF
MARICOPA COUNTY L L C
NO ADDRESS ON RECORD
DOCKET-CIVIL-CCC
FILE ROOM-CSC
JUDGE HEILMAN

MINUTE ENTRY

9:40.m. In chambers. This is the time set for Telephonic Pre-Trial Status/Scheduling Conference. All parties appear telephonically. Plaintiff is represented by counsel, Charles Ayers and Stephanie Heizer. Defendants are represented by counsel, Jay Dushoff.

No court reporter is present.

CONSOLIDATION

On May 13, 2009, Plaintiff filed a "Motion for Consolidation of Condemnation Cases". Defense counsel now advises that Defendant's do not oppose this motion. Good cause appearing,

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IT IS ORDERED granting the “Motion for Consolidation of Condemnation Cases”.
More specifically,

IT IS ORDERED consolidating **CV2007-001553** under **CV 2007-001379** before this
division. Going forward, all pleadings relating to this now consolidated case must be filed in
CV2007-001379.

The “Motion for Consolidation” includes a request for an order that certain prior
appraisal reports may not be used at trial.

IT IS ORDERED denying this request without prejudice to the request being reasserted
at some later time in this case.

COMPREHENSIVE PRE-TRIAL CONFERENCE

IT IS ORDERED imposing the following deadlines:

| | |
|------------------------|--|
| May 29, 2009 | Initial Disclosure Statements |
| June 10, 2009 | Complete Rule 26.1 Disclosure regarding expert witnesses |
| June 19, 2009 | Complete Rule 26.1 Disclosure regarding non-experts |
| June 19, 2009 | Propounding written discovery |
| July 13, 2009 | Complete Rule 26.1 Disclosure regarding rebuttal expert witnesses |
| August 24, 2009 | Discovery cut-off |

The parties shall participate in a private mediation no later than September 14, 2009. All counsel and their clients, or non-lawyer representatives who have full and complete authority to settle the case, shall personally appear and participate in good faith in the private mediation. The cost of the mediation shall be shared equally by the parties (50-50).

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IT IS ORDERED establishing the deadline for dispositive motions to be **September 21, 2009** or 120 days prior to trial, whichever comes first.

IT IS ORDERED setting this matter for a Telephonic Status Conference **on October 2, 2009 at 10:45 a.m.** Counsel for Plaintiff shall initiate the conference call.

Effective June 22, 2009 this calendar will be transferred to:

THE HONORABLE J. RICHARD GAMA
MARICOPA COUNTY SUPERIOR COURT
125 W. WASHINGTON
OLD COURTHOUSE, COURTROOM 309
PHOENIX, AZ 85003
(602) 506-1245

IT IS FURTHER ORDERED lead counsel shall participate in the telephonic scheduling conference.

9:51 a.m. Matter concludes.

/ s / HON. MARK F. ACETO

JUDICIAL OFFICER OF THE SUPERIOR COURT

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>