

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
08/22/2001

08/09/2001

CLERK OF THE COURT
FORM V000A

HON. JOHN R. STICHT

D. Jamison
Deputy

CV 2000-019553

FILED: _____

SNAP-ON CREDIT LLC

LYNDON B STEIMEL

v.

DANIEL FELTEN

DANIEL FELTEN
2225 W DANBURY ROAD
PHOENIX AZ 85023-0000

MINUTE ENTRY

8:50 a.m. IN CHAMBERS. This is the date and time set for telephonic Status Conference. Lyndon Steimel is present telephonically on behalf of Plaintiff. Daniel Felten appears telephonically on his own behalf.

Court Reporter is not present.

After discussion with the parties,

IT IS ORDERED that Mr. Felten shall make a list of those tools which are the subject matter of this lawsuit and he shall assign what he believes is the fair market value of these tools individually. He shall also total the values to determine what he believes is the fair market value of all of the tools which are the subject of this litigation. In determining the fair market value, he shall consider the age, the condition of the tools and determine, to the best of his knowledge, what those tools would sell for on the open market.

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IT IS FURTHER ORDERED that Mr. Felten shall make a second list of those "Snap-On Tools" which are not the subject of this litigation but which he desires to return to Snap-On as a further off-set against any monies owed by him to Snap-On. This list shall also include the fair-market values of these tools determined in the same manner as outlined above.

IT IS FURTHER ORDERED that these lists shall be mailed to Plaintiff on or before August 30, 2001. Mr. Felten shall also advise Mr. Steimel as to whether he disagrees with any balance owed at this time.

IT IS FURTHER ORDERED that after these lists are provided to Mr. Steimel, he shall contact his client in an attempt to continue with settlement negotiations. That is, accept Mr. Felten's offer of returning all tools which are the subject of this litigation plus all additional tools in settlement of the litigation. Mr. Steimel shall notify Mr. Felten of Snap-On's position as well as any counter offer to be made. Mr. Steimel and Mr. Felten shall then confer either by telephone, in person or by letter in an attempt to settle the litigation.

In the event a settlement cannot be reached, the Court encourages the parties to have an appraisal done of the tools at issue, submit those appraisals to the Court who will then assign the matter to an umpire for a determination of the values of the tools. Any agreement reached between the umpire and one of the parties would be a binding decision as to the value of the tools.

IT IS FURTHER ORDERED setting this matter for an additional Status Conference on **OCTOBER 5, 2001 AT 11:30 p.m.** The parties may appear by telephone.

9:15 a.m. Matter concludes.