

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2003-003936

08/19/2004

HONORABLE KENNETH L. FIELDS

CLERK OF THE COURT  
D. Whitford  
Deputy

FILED: 08/23/2004

HARTFORD CASUALTY INSURANCE  
COMPANY

CHRISTOPHER ROBBINS

v.

STONE ARTWORX INC, et al.

JOSEPH C DOLAN

**RULINGS**  
**STATUS CONFERENCE SET**

The Court has under advisement the following motions:

1. Plaintiff's Motion for partial summary judgment re: alleged 100,000 unit order;
2. Defendant's cross-motion for partial summary judgment re: scope of appraisal;
3. Defendant's cross-motion to compel appraisal; and,
4. Plaintiff's motion for protective order.

After consideration of the pleadings and arguments of counsel , it is ordered:

1. Granting plaintiff's motion for partial summary judgment re: alleged 100,000 unit order. The plaintiff in its amended complaint asked the Court to determine the scope of the appraisal and asserted that the 100,000 unit order was not within the scope of the appraisal. The Court in the past indicated that this decision could not be determined without a factual basis. The parties conducted discovery and plaintiff has convinced the Court that the material facts are not in dispute. The 100,000 unit order was never made and was not reasonably likely to be placed with the defendant. Thus the 100,000 unit order is not within the scope of the appraisal under this policy.
2. Denying the defendant's motion for partial summary judgment re: scope of appraisal.
3. Granting the defendant's motion to compel appraisal.
4. Denying the motion for protective order as moot.

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5. Vacating the trial date in this action and staying the lawsuit pending the appraisal results.
6. The parties shall appear on **December 20, 2004 at 2:00 p.m.** to inform the Court of the status of the appraisal.
7. Denying the plaintiff's request for attorney's fees.

**Before:**

The Honorable Kenneth Fields  
Maricopa County Superior Court  
East Court Building  
Courtroom 414  
Phoenix, AZ 85003  
PHONE: 602-506-2060

**ELECTRONIC ("E") COURTROOM**

A record of the proceedings may be made by videotape in lieu of a court reporter. Should an official transcript be required, you may request that the Court prepare it. The party ordering the transcript must pay for it. With this new technology, a court reporter is likely not required and the parties are encouraged to experience the Court's video-recording system before requesting a court reporter.

**If a court reporter is required, a written request must be received by the Court at least 48 hours before the hearing.**

**NOTICE**

**New Fee for Copies of Electronically Recorded Proceedings**

Effective Monday, January 27, 2003, a fee of \$20.00 will be charged for each copy of superior court proceedings digitally recorded and provided on compact Disc (CD) and for each copy of a superior court proceeding provided on videotape. The fee is due when the CD or videotape is picked up. Cash and in-state checks will be accepted for payment. Please make checks payable to: Clerk of the Superior Court.

Blank, unused CDs and videotapes will not be accepted in lieu of payment.

Beginning Monday, January 27, 2003, the pick up location for CD or videotape copies of superior court proceedings recorded in downtown Phoenix will be the court's Self Service Center located in the Law Library on the first floor of the East Court Building. Fees will be collected at the Self Service Center. Copies of superior court proceedings recorded at the court's Southeast

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Facility in Mesa and at the court's Northwest Facility in Surprise may be picked up, and fees paid, at the Self Service Centers at those locations.

Questions may be directed to Ken Crenshaw, Administrator, Electronic Records Services, 602-506-7100 or [kcrensa@superiorcourt.maricopa.gov](mailto:kcrensa@superiorcourt.maricopa.gov)

Request for Daily Copy of Electronically Recorded Proceedings

Obtain a form from the courtroom clerk or from the Self Service Center to request a daily copy of a court hearing or trial proceeding being conducted. Pay the applicable fee at the Self Service Center. Attach the receipt showing payment of fee and present both the receipt and the form to the courtroom clerk or bailiff. For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100.