

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2001-020224

09/22/2004

JUDGE PENDLETON GAINES

CLERK OF THE COURT  
W. Bobrowski  
Deputy

FILED: 09/24/2004

TIMOTHY DONNELLAN

TIMOTHY DONNELLAN  
1265 SOUTHPORT DR  
SARASOTA FL 34242

v.

JOANNE LOZA

MARC C CAVNESS

HEARING SET

9:24 a.m. This is the time set for telephonic Oral Argument Re: Defendant's Motion to Establish Value of Property. Plaintiff is present on his own behalf. Defendant Joanne Loza is present and represented by counsel, Marc Cavness.

Court Reporter, Marmie Guimont, is present.

Arguments are heard.

IT IS ORDERED as follows:

1. If Mr. Donnellan intends to contest the valuation of the property as set forth in Ms. Loza's current appraisal, he is ordered to obtain and have completed an appraisal on the property not later than October 31, 2004. Ms. Loza is directed to cooperate completely with the appraiser regarding access and information to the property.
2. The Court sets and Evidentiary Hearing on **November 19, 2004 at 1:30 p.m.** (1 hour) in this division. Mr. Donnellan, Ms. Loza and Mr. Cavness are directed to appear in person for the hearing. Mr. Donnellan is directed

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to bring an executed quit claim deed with an accompanying affidavit of value with the value left blank to the hearing.

3. The Court notes that on agreement of the parties, the net amounts due to Ms. Loza under the judgment will be paid from the escrow and that the net amounts due to Ms. Loza accrue interest from the date of judgment until paid at 10% per annum.
4. Mr. Cavness' request for an additional order that the date of valuation on Mr. Donnellan's appraisal be no later than May 30, 2004 is denied.
5. If either party intends to call any witnesses or introduce any exhibits, other than the appraisals and the parties themselves, they are directed to supply those to the other side not later than November 5, 2004 or they will be excluded.
6. The Court will remain available during the pendency of this matter for a joint telephone with the parties to help resolve this matter.

9:47 a.m. Hearing concludes.