

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2005-001864

10/24/2005

HONORABLE MARK W. ARMSTRONG

CLERK OF THE COURT
L. Slaughter
Deputy

FILED: 10/26/2005

BROOKS SLOCUM

SCOT G TEASDALE

v.

WILLIAM KOHN, et al.

SANFORD J GERMAINE

**ORAL ARGUMENT
LATER UNDER ADVISEMENT RULING**

Northeast – Courtroom 109.

1:36 p.m. This is the time set for Oral Argument on Defendants' Motion for Judgment on Plaintiff's First Amended Complaint. Plaintiff is represented by counsel, Scot G. Teasdale. Defendant is represented by counsel, Sanford J. Germaine.

Court reporter is not present.

A digital audio recording of this proceeding is being made by CD using the "For the Record" recording system.

Argument is heard.

IT IS ORDERED taking this matter under advisement.

1:52 p.m. Matter concludes.

LATER:

The Court has considered the motion, response, reply and arguments of counsel.
Docket Code 019 Form V000A

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IT IS ORDERED denying the motion without prejudice to filing a motion for summary judgment.

Nothing has changed in the Court's earlier tentative appraisal of this case. Further, although the Court cannot foresee the future course of this case, the Court would suggest as it did in Court that Plaintiff's interests may be better protected by instituting a probate estate in this matter (assuming such a course may be legally undertaken) rather than relying solely on the trust as the estate.