

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2004-023000

12/14/2005

HONORABLE MARK W. ARMSTRONG

CLERK OF THE COURT  
L. Slaughter  
Deputy

FILED: 12/16/2005

KLEFSTAD COMPANIES INC

DONALD P ROELKE

v.

MARICOPA COUNTY

KATHLEEN A PATTERSON

ALTERNATIVE DISPUTE  
RESOLUTION - CCC

**HEARING VACATED/ADOPT DISCOVERY AND DISCLOSURE DATES/  
ADR REFERRAL/BENCH TRIAL SET**

On agreement of counsel,

**IT IS ORDERED** vacating Telephonic Pretrial Conference set on December 14, 2005, in this division.

**IT IS ORDERED** adopting the Discovery and Disclosure dates set forth in the Joint Comprehensive Pretrial Conference Memorandum, as follows:

- Discovery, disclosures and depositions of witnesses shall be completed no later than **June 16, 2006**.
- The parties shall disclose expert witnesses and areas of expert testimony no later than **April 3, 2006**.
- The parties shall exchange the appraisal reports of their expert witnesses no later than **May 1, 2006**, and exchange their expert witnesses' files by **May 15, 2006**.
- The parties shall disclose non-expert witnesses no later than **May 15, 2006**.

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- Dispositive motions shall be filed no later than **June 1, 2006**.
- The parties shall exchange their expert witnesses' rebuttal opinions no later than **June 4, 2006**.

**IT IS FURTHER ORDERED** referring this matter to the Court's Alternative Dispute Resolution Office for the appointment of a Judge *Pro Tempore* to conduct a settlement conference. Counsel and/or the parties are instructed that ADR will not set the settlement conference and therefore they should not contact the office of ADR. Counsel and/or the parties will be notified by ADR by minute entry upon the appointment of a Judge *Pro Tempore* and at that time should contact the appointed Judge *Pro Tempore* to arrange the time and location for the settlement conference. The Judge *Pro Tempore* is requested to conduct a settlement conference not later than **March 15, 2006**.

**IT IS FURTHER ORDERED:**

1. This matter is set for trial to the Court on **August 1, 2006 at 9:30 a.m.** before Judge Mark W. Armstrong,

**MARICOPA COUNTY SUPERIOR COURT  
NORTHEAST REGIONAL COURT CENTER  
18380 N. 40<sup>TH</sup> STREET  
PHOENIX, ARIZONA 85032**

Estimated length of trial is: **2 days**

**THIS IS A FIRM TRIAL SETTING.**

If counsel have any pre-existing conflicts with said trial date, they shall notify the Court, in writing, within five (5) days from today's date.

2. Not later than **5:00 p.m. on July 1, 2006**, counsel (or the parties) shall file: A joint pretrial statement in accordance with Rule 16(d), Arizona Rules of Civil Procedure. In addition to the information required by Rule 16(d), counsel are to identify in/with the joint pretrial statement all deposition or other transcribed testimony that may be offered at trial. The proposed testimony is to be identified by reference to page and line numbers. Objections, if any, to such testimony, and the reasons for such objections, are also to be set forth.

3. All motions shall be filed no later than **June 1, 2006** so they can be scheduled, briefed, argued and decided prior to trial.

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4. **At least one week before trial**, the trial lawyers shall make an appointment for themselves or their knowledgeable assistants to meet with the Clerk of this division (602) 372-7723) **before 12:00 p.m. two court days prior to trial** to present all exhibits and a list of exhibit descriptions.

5. Opinions of experts fairly sought and revealed in deposition or other discovery shall not be supplemented at trial.

6. The witness and exhibit lists shall contain no surprises; any information sought by other discovery devices and revealed for the first time on the witness or exhibit lists will be inadmissible at trial.

7. All documents and pleadings described above shall be hand-delivered, telefaxed or e-mailed to opposing counsel on the date they are delivered to the Court.