

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-018170

05/12/2006

HONORABLE GLENN M. DAVIS

CLERK OF THE COURT
L. Muhammad
Deputy

FILED: 05/18/2006

CHARLES HUMMER, et al.

DANIEL B TREON

v.

BURLINGTON INSURANCE COMPANY, THE, SCOTT A SALMON
et al.

WILLIAM H DOYLE
MARK E GOVE
MYLES P HASSETT
RICHARD T TREON
RANDY AOYAMA
LUCAS N FRANK
JAMES W EVANS

MINUTE ENTRY

2:00 p.m. This is the time of Oral Argument on Plaintiffs' Motion to Compel.

Counsel present are Daniel B. Treon on behalf of Plaintiffs Hummer and appearing for Richard T. Treon on behalf of Plaintiffs O'Toole; Lucas N. Frank for Myles P. Hassett on behalf of Defendant Brown Insurance Inc.; Scott A. Salmon on behalf of Defendant The Burlington Insurance Company; James W. Evans on behalf of Defendant R.L. Gresham & Co.; Randy Aoyama on behalf of Defendants Frontier Adjusters Inc., Frontier Adjusters of Show Low, Kent Overholt, and Kent Wood.

Court reporter: Lynn Cronin.

Court and counsel discuss the status of the case.

Arguments are presented.

For the reasons set forth on the record,

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IT IS ORDERED granting Plaintiffs' Motion to Compel as to the claims manual. Any information contained therein related to the appraisal process shall also be produced, including information related to the claims resolution process and policies related to arbitration.

IT IS ORDERED granting Plaintiffs' Motion to Compel as to the personnel files as they relate to information on employment applications, training, background of the employees, personnel resolution, and any bonus or incentive program based upon claims performance.

IT IS ORDERED denying Plaintiffs' Motion to Compel as it relates to production of any litigation file.

IT IS ORDERED denying Plaintiffs' Motion to Compel as it relates to producing the underwriting file.

IT IS ORDERED granting Plaintiffs' Motion to Compel as it relates to information about the relationship of Mr. Neff.

The Court is not ordering sanctions against any party.

2:52 p.m. Hearing concludes.

LATER:

ORAL ARGUMENT SET

IT IS ORDERED setting Oral Argument on Plaintiffs' Motion to Reset Discovery and Disclosure Deadlines and for Rule 16 Scheduling Conference on **May 30, 2006 at 9:00 a.m. (30 minutes) in this division.**

IT IS FURTHER ORDERED as follows:

Oral argument shall not exceed **10 minutes** for each side. If extended oral argument is necessary, counsel must so advise the Court no later than **four (4) court days prior** to the date set for hearing so that oral argument can be rescheduled.

Any motion or stipulation for continuance must be filed with the Court no later than **four (4) court days prior** to the date set for hearing. After that date, no continuances will be granted except for extraordinary circumstances.

Counsel are advised that if the answering memorandum is not timely filed in accordance with the Arizona Rules of Civil Procedure, oral argument may be vacated and the motion will be ruled upon in accordance with Rule 7.1(b), A.R.C.P.

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**HONORABLE GLENN M. DAVIS
MARICOPA COUNTY SUPERIOR COURT
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