

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2005-009037

06/06/2006

HONORABLE ROBERT E. MILES

CLERK OF THE COURT
K. Ballard
Deputy

FILED: 06/08/2006

TEMPE CITY

JAMES T BRASELTON

v.

PEP PROPERTIES INC, et al.

PEP PROPERTIES INC
C/O DAVID SNYDER ESQ
FREDERICK C HORN ESQ
2000 MARKET ST 10TH FL
PHILADELPHIA PA 19103-3291

INACTIVE CALENDAR

9:01 a.m. In chambers: This is the time set for telephonic Pretrial Conference. Plaintiff is represented (telephonically) by counsel, James T. Braselton. Defendants PEP Properties, Inc. and The PEP Boys Manny Moe and Jack of California, Inc. is represented (telephonically) by, David Snyder, an out-of-state attorney.

Court reporter is not present.

The Court has received and reviewed the parties' Joint Pretrial Conference Memorandum.

Discussion is held regarding what discovery needs to be completed before the parties can participate in a meaningful settlement conference/mediation in this matter. In that regard, counsel indicate they have agreed to the exchange of preliminary appraisal letters prior to informal settlement negotiations. Should the case not settle through the informal discussions, counsel then agree to engage in private mediation at that time.

In an effort to keep costs under control at this stage of the case, the parties are encouraged to complete only as much discovery as will be **necessary** for a meaningful mediation.

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IT IS ORDERED the parties shall use their best efforts to complete private mediation no later than **September 15, 2006**. If the parties desire to use a court-appointed settlement conference judge, they shall contact this division at the earliest opportunity.

IT IS FURTHER ORDERED setting a telephonic Status Conference on **September 22, 2006 at 9:00 a.m.** to check the status of settlement and to set a discovery cutoff and a firm trial date, if necessary. Counsel for Plaintiff shall arrange and initiate the conference call to this division.

Judge ROBERT E. MILES
Maricopa County Superior Court
Old Courthouse
125 W. Washington, Courtroom 303
Phoenix, Arizona 85003
(602) 372-0754

IT IS FURTHER ORDERED continuing this matter on the Inactive Calendar until **September 22, 2006**.

9:11 a.m. Matter concludes.

NOTE: The Court's file does not reflect that Mr. Snyder has filed a *pro hac vice* application to appear in this matter, which must be accomplished before his further participation in this case.