

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2001-019327 (CONSOL.)

06/13/2006

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
C.I. Miller
Deputy

FILED: 06/21/2006

NICHOLA TAVILLA, et al.

RICHARD T TREON
DANIEL B TREON

v.

EMPLOYERS MUTUAL CASUALTY
INSURANCE COM, et al.

WILLIAM H DOUGLAS

RULING MINUTE ENTRY

The court has considered Defendant's motion for judgment as a matter of law regarding punitive damages. The court finds Plaintiffs have submitted sufficient evidence that if believed a reasonable jury could find by clear and convincing evidence the requisite state of mind for the awarding of punitive damages. Therefore,

IT IS ORDERED denying the motion for judgment as a matter of law re: punitive damages.

The court has considered Defendant's motion for judgment as a matter of law regarding the emotional distress claims of Nick, Katherine, Brittany and Alyssa Tavilla. The court finds sufficient evidence to allow the claims to go to the jury. Therefore,

IT IS ORDERED denying the motion.

The court has considered Defendant's motion for judgment as a matter of law regarding claims for money due and owing under the contract. The court finds sufficient evidence to allow the claim to go to the jury. Therefore,

IT IS ORDERED denying the motion.

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The court has considered Defendant's motion for judgment as a matter of law regarding appraisal. The court finds sufficient evidence to allow the claim to go to the jury. Therefore,

IT IS ORDERED denying the motion.