

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2005-012516

08/03/2006

JUDGE PENDLETON GAINES

CLERK OF THE COURT  
A. Beery  
Deputy

ARIZONA STATE, et al.

JAMES R REDPATH

v.

TOMS PROPERTY L L L P, THE, et al.

WILLIAM F BENNETT

HARRY DWAYNE MCLAUGHLIN  
9102 E UNIVERSITY DR  
MESA AZ 85207  
DIANE MARIE BERG MCLAUGHLIN  
9102 E UNIVERSITY DR  
MESA AZ 85207  
JOHN W PAULSEN

**CONTINUED PRETRIAL CONFERENCE SET;**  
**SCHEDULING ORDER ENTERED**

8:55 a.m. This is the time set for telephonic pretrial conference. Plaintiff State of Arizona is represented by counsel, James R. Redpath. Defendant The Tom's Property is represented by counsel, William F. Bennett. Defendant Diane Marie Berg McLaughlin is present on her own behalf.

Court Reporter, Debbie Croci, is present.

Discussion is held.

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At the request of Ms. Diane Marie Berg McLaughlin, she may have through, to and including noon on September 1, 2006 to file an answer to the State's complaint. If she does not do so, the State is directed to proceed with the entry of her default and the obtaining of a default judgment against her.

Pursuant to the parties' Joint Pretrial Conference Memorandum, the Court enters the following scheduling order:

1. The parties will disclose expert witnesses and opinions not later than October 15, 2006.
2. The parties will exchange appraisal reports by November 15, 2006.
3. Rebuttal experts and opinions will be disclosed not later than December 11, 2006.
4. All non-expert witnesses and exhibits will be exchanged not later than November 15, 2006.
5. All discovery in this case will be concluded not later than January 15, 2007.
6. At the initiative of counsel for the Plaintiff, a mandatory settlement conference will be conducted and concluded not later than January 31, 2007, either before a private mediator under such terms and conditions as the parties may agree upon or by a referral to the Court's ADR office. NOTE: This minute entry is not self-executing. If counsel wish to request the appointment of a pro tem settlement judge through the Court's ADR Office, Plaintiff must make such request not later than **90** days before the settlement conference deadline date.
7. The Court sets a telephonic continued pretrial conference on **February 13, 2007 at 8:45 a.m.** in this division, for the purpose of setting a trial date, if necessary. Counsel for the Plaintiff is to initiate the telephonic conference by first arranging the presence of all other counsel or self-represented parties on the conference call and by calling this division (602-506-3940) promptly at the scheduled time.

In the event of any disputes regarding disclosure, discovery, compliance with this scheduling order or anything else, the Court is always available for a joint telephone call from counsel.

9:05 a.m. Conference concludes.