

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2008-011414

09/15/2009

HON. JOHN REA

CLERK OF THE COURT  
L. Gilbert  
Deputy

FISHER FINANCIAL GROUP  
INCORPORATED

STEPHEN A U'REN

v.

LOGAN REAL ESTATE APPRAISAL SERVICE    BRADLEY R JARDINE  
L L C, et al.

TRIAL MINUTE ENTRY  
DAY 2

East Court Building – Courtroom 414

9:29 a.m. Trial to a jury continues from September 14, 2009. Plaintiff is represented by counsel, Stephen A. U'Ren. Chad Fisher, Representative of Fisher Financial Group, Inc., is present. Defendants are represented by counsel, Bradley R. Jardine and Michael Warzynski. Defendant King Ruby is present.

Court Reporter, Marylynn LeMoine, is present.

The jury is not present.

Discussion is held regarding Plaintiff's exhibit 29. By agreement of the parties, exhibit 29 shall be exchanged for the new exhibit 29 as presented by Plaintiff's counsel this date.

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Defendant's exhibit 76 is marked for identification and, by stipulation, is received in evidence.

Discussion is held regarding the trial schedule.

The jury enters the courtroom and trial continues.

Eldon Drue Bates is sworn and testifies.

Plaintiff's exhibits 9 and 29 are received in evidence.

10:47 a.m. Court stands at recess.

11:00 a.m. Court reconvenes with the parties and respective counsel present.

Court Reporter, Marylynn LeMoine, is present.

The jury is present.

Eldon Drue Bates resumes the stand and testifies further.

The Court receives written question(s) from the jury. Court and counsel discuss the question(s), and answers are provided through further testimony of the witness.

The witness is excused.

FILED: Juror Question(s)

Warren Roy Tolson is sworn and testifies.

Plaintiff's exhibits 5 and 36 are received in evidence.

12:13 p.m. Court stands at recess.

1:27 p.m. Court reconvenes with the parties and respective counsel present.

Court Reporter, Marylynn LeMoine, is present.

The jury is not present.

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Discussion is held regarding the use of Mr. Tolson's March 6, 2008 Appraisal Report during his testimony and Defendants' objections thereto.

For the reasons stated on the record,

IT IS ORDERED allowing the use of Mr. Tolson's March 6, 2008 Appraisal Report.

The jury enters the courtroom and trial continues.

Warren Roy Tolson resumes the stand and testifies further.

Plaintiff's exhibits 7 and 10 are received in evidence.

2:51 p.m. Court stands at recess.

3:06 p.m. Court reconvenes with the parties and respective counsel present.

Court Reporter, Marylynn LeMoine, is present.

The jury is present.

Warren Roy Tolson resumes the stand and testifies further.

The witness is excused.

Chad Fisher is sworn and testifies.

Plaintiff's exhibits 13, 16, 31, 32, 33, 35, 34 and 4 are received in evidence.

Discussion is held regarding Plaintiff's exhibit 11.

4:48 p.m. Court stands at recess until September 16, 2009 at 9:30 a.m.

IT IS ORDERED temporarily releasing Defendants' exhibit 60 to Michael Warzynski, counsel for Defendants, same to be returned to the Court September 15, 2009.

Issued: Release Form (1)

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This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>