

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2012-009493

04/08/2013

HON. RANDALL H. WARNER

CLERK OF THE COURT  
K. Ballard  
Deputy

B M O HARRIS BANK N A

LARRY O FOLKS

v.

ABDUL A MAHMOOD, et al.

CHRISTOPHER A COMBS

HEARING SET

**Courtroom: ECB - 512**

8:46 a.m. This is the time set for status conference. Plaintiff is represented (telephonically) by Counsel Larry O. Folks. Defendants are represented (telephonically) by Counsel Christopher A. Combs.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding the setting of a fair market value hearing.

**IT IS ORDERED** setting this matter for a fair market value hearing on **May 28, 2013 at 1:30 p.m.** in this division.

**The Honorable Randall H. Warner  
Maricopa County Superior Court  
East Court Building  
101 W. Jefferson  
5th Floor, Courtroom 512  
Phoenix, AZ 85003**

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**Phone: 602-372-2966**

**Fax: 602-372-8746**

Time allotted: **3 hours**.

**NOTE:** All court proceedings are recorded by audio and video method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division (602-372-2966) three (3) court business days before the scheduled hearing.

In order to expedite the hearing, counsel may pre-file the competing appraisal reports and the direct testimony of their expert witnesses.

Brief discussion is held regarding the use of demonstrative exhibits during the hearing.

8:51 a.m. Matter concludes.

Based on the hearing set above, the court sets the following deadlines and makes the following orders. The dates set forth in this order are firm dates and will not be extended or modified by this court absent good cause. Lack of preparation will not ordinarily be considered good cause.

**Joint Pretrial Statement:** Counsel shall file with the court no later than **5:00 p.m. on May 21, 2013**, a **joint pretrial statement conforming in all respects to Rule 16(d)(2)(A)-(F), ARCP**, except as specifically otherwise provided herein, and signed by all counsel and parties representing themselves.

In addition to the information required by Rule 16(d)(2)(A)-(F), the joint pretrial statement shall include an exhibit entitled: **Final Witness List**. This list shall contain the name of each witness a party actually intends to call at the hearing and the estimated time needed for direct, cross and re-direct examination.

In addition to the information required by Rule 16(d)(2)(A)-(F), counsel shall provide to the court copies of any deposition transcripts to be used at the hearing.

Counsel shall submit proposed findings of fact and conclusions of law (if a request for findings of fact and conclusions of law has been or will be filed).

Counsel are reminded to promptly notify the court of any settlement pursuant to Rule 5.1(c), Ariz.R.Civ.P.

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**Hearing Exhibits:** Counsel (or parties representing themselves) **shall deliver all exhibits to the courtroom clerk (602-372-3180) no later than 4:30 p.m. on May 20, 2013.**

Counsel shall present all exhibits to be used at the hearing, along with a written list of brief exhibit descriptions, to the clerk on the date referenced above unless other arrangements have been made with the clerk before that date. All exhibits will be clearly labeled by counsel to correspond with the list provided. Counsel should not reserve exhibit numbers for exhibits to be provided at a later date, “all defendant’s exhibits,” “all plaintiff’s exhibits,” “miscellaneous demonstrative exhibits,” etc.

The exhibits will be marked numerically and serially, plaintiff’s first and defendant’s second. Before presenting the exhibits to the clerk, counsel shall meet and confer to **eliminate any duplicate exhibits**.

Do not place exhibits in a notebook when submitting them to the clerk for marking and do not provide the clerk with stacks of loose paper. Individual exhibits consisting of multiple pages shall be **bound by staples, binder clips, etc.**

Depositions are not marked as exhibits. But for any depositions the parties intend to use during the hearing, the original deposition transcript shall be provided to the courtroom clerk for filing no later than the first day of the hearing. The depositions will be available to counsel and the court during the hearing, and will be retained by the clerk for record purposes.

In addition to providing a set of exhibits to the clerk, the parties may provide a second set in a binder for the court’s use during the hearing.

**ALERT:** The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk’s Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however; subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.