

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2009-030194

09/28/2016

COMMISSIONER MICHAEL L. BARTH

CLERK OF THE COURT

A. Aycock

Deputy

CLARKE LAW FIRM P L C

MARILEE MILLER CLARKE

MARY T HONE

v.

MOHNACH PAYNE INC, et al.

THOMAS N PAYNE

J LEVINE AUCTION & APPRAISAL L L
C

10345 N SCOTTSDALE RD

SCOTTSDALE AZ 85253

ARIZONA COUNTRY CLUB

335 E PALM LN

PHOENIX AZ 85004

PROSPECT MANUFACTURING L L C

C/O SCOTT MOHNACH

3419 E CHEROKEE ST

PHOENIX AZ 85044

J P MORGAN CHASE BANK

NATIONAL ASSOCIATION

C/O COURT ORDERS & LEVIES DEPT

PO BOX 183164

COLUMBUS OH 43218-3164

B M O HARRIS BANK N A

1200 E WARRENVILLE RD

NAPERVILLE IL 60563

MINUTE ENTRY

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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09/28/2016

Courtroom: ECB 812.

2:06 p.m. This is the time set for Hearing on Judgment Creditor's objection to Answer of Garnishee. Plaintiff/Judgment Creditor, Clarke Law Firm PLC, is represented by counsel, Mary Hone for Marilee Clarke. Defendant/Judgment Debtor, John Mohnach, is present and represented by counsel, Thomas Payne.

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held. The Court indicates John Mohnach is not authorized to represent Garnishee, Prospect Manufacturing, LLC for the reason he is not an officer or member of the LLC.

Plaintiff's exhibits 1 and 2 are marked for identification.

2:14 p.m. The Court stands at recess.

2:24 p.m. Court reconvenes with the parties and respective counsel present. Scott Mohnach, representative of Prospect Manufacturing, LLC, appears telephonically on behalf of Garnishee.

A record of the proceedings is made digitally in lieu of a court reporter.

LET THE RECORD REFLECT the Court determines proper notice of today's Hearing was given to Garnishee as a result of the Judicial Assistant of this Division calling the Garnishee at the phone number listed in Garnishee's Answer.

Garnishee shall provide an Amended Answer and a Non-Exempt Earnings Statement by fax, email, or hand delivery to counsel for Judgment Creditor by **close of business, October 5, 2016**.

Per agreement of the parties,

IT IS ORDERED continuing today's Hearing to **October 14, 2016 at 10:00 a.m.** (time allotted: 1 hour) in this Division:

Maricopa County Superior Court
East Court Building
101 W. Jefferson

SUPERIOR COURT OF ARIZONA
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Courtroom 812
Phoenix, AZ 85003

IT IS FURTHER ORDERED that the witnesses may appear telephonically for the above scheduled event. **The parties are directed to contact this division at least five minutes prior to the hearing (602-506-3857).** All parties appearing telephonically must be joined in a single conference call and be prepared to hold until called to testify.

The call should be placed from a telephone in an area with no background noise as this will prevent the parties from hearing the proceedings in the courtroom. The call may not be placed from a vehicle. Also, the use of cellular telephones to call into the hearing is strongly discouraged.

Scott Mohnach, Garnishee's representative, shall appear in person at the above scheduled event.

Upon receipt of Garnishee's Amended Answer, counsel for Judgment Creditor shall file a notice of whether its Objection to Garnishee's Answer is moot and the hearing can be vacated by **close of business, October 7, 2016.**

The parties shall file their lists of witnesses and exhibits with the Clerk of the Court no later than **close of business, October 12, 2016.** All documents filed shall be exchanged between the parties via fax, email, or hand delivery to avoid the mailing delay.

2:57 p.m. The Court stands at recess.

3:00 p.m. Court reconvenes with the parties and respective counsel present.

A record of the proceedings is made digitally in lieu of a court reporter.

LET THE RECORD REFLECT the Judicial Assistant of this Division notified Garnishee of today's Hearing by phone on September 21, 2016 between 3:30 p.m. and 5:00 p.m.

LET THE RECORD FURTHER REFLECT that the parties agree that notice issues, if any, are moot.

There being no objection,

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IT IS FURTHER ORDERED counsel for Judgment Creditor shall provide a copy of all Writ documents at issue up until today's date including those received by Scott Mohnach to counsel for Judgment Debtor.

3:10 p.m. Matter concludes.