

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2005-007593

04/09/2007

HONORABLE KRISTIN HOFFMAN

CLERK OF THE COURT
D. Glab
Deputy

DON C WILKINSON

DON C WILKINSON
PHILIP A SELOW

v.

JASON M LLOYD, et al.

MARK BAINBRIDGE

MINUTE ENTRY

8:35 a.m. This is the time set for oral argument on Plaintiff's Motions in Limine, Motion to Compel Disclosure and Motion for Sanctions. Plaintiff is represented by counsel, Don C. Wilkinson and Phillip Seplow. Defendant Lloyd is not present but is represented by counsel, Mark Bainbridge.

A record of the proceeding is made by CD/videotape in lieu of a court reporter.

Discussion is held.

IT IS ORDERED that Phillip Seplow is associated with counsel for Plaintiff in this matter.

Plaintiff's Motion with regard to Dr. Glick is moot.

Plaintiff's Motion in Limine re Robert D. Anderson is argued.

IT IS ORDERED denying Motion in Limine. Robert D. Anderson may testify.

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Plaintiff's Motion in Limine re Dr. Gary M. Gradke is argued.

IT IS ORDERED denying Motion in Limine. Dr. Gary M. Gradke may testify.

Plaintiff's Motion to Compel Discovery is argued.

To the extent that they have not previously been produced, the insurance company is to produce any photographs, diagrams, any transcripts of any interview with the Defendant. If he filled out a form and sent it back to the insurance company, they are to produce that. They are to produce any recordings of statements by Defendant. They are to produce whatever information he gave the insurance company. This will not include adjuster notes, the claim file, credit card receipts for that day, the CV of Elizabeth Bondie, nor correspondence between the insurance company and the law firm representing Defendant. If there are any materials that need to be produced, they are to be produced as soon as possible.

With regard to the Defendant's Motions in Limine:

1. Drs. Goodman, Day and Bernstein may lay the proper foundation for their medical bills.
2. Defendant can testify as to the diminution in value of the car.
3. There is no lost wages claim.
4. Causation is an issue in this case. The Court believes that Dr. Day will have to testify to lay foundation as to whether his treatment was reasonable and necessary. Probably Dr. Gradke will also have to testify to lay foundation for his treatment of Plaintiff.
5. The Court will decide at trial whether Dr. Goodman can testify as to Dr. Day's specialty. At this time, the Court is inclined to say no.

Jury instructions are discussed.

9:18 a.m. Hearing concludes.