

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-014275

05/18/2020

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
T. DeRaddo
Deputy

KAREN PARKS

KAREN PARKS
17256 QUAIL RIDGE DR
FOUNTAIN HILLS AZ 85268

v.

VIRGINIA L SAVENELLI

LYN ANNE BAILEY

JUDGE STEPHENS

MINUTE ENTRY

East Court Building - Courtroom 712

9:08 a.m. This is the time set for the continuation of a Bench Trial. All parties appear via GoToMeeting. Plaintiff, Karen Parks, is present on her own behalf. Defendant, Virginia Savenelli, is present and is represented by counsel, Lyn Bailey.

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

Prior to today's proceedings, the Court conducted Phase One of the Bench Trial regarding liability, on October 1 and 2, 2019. Plaintiff prevailed in this phase of the trial. Today is Phase Two of the Bench Trial regarding damages. Plaintiff's Exhibits 1-25 and 54-61; and Defendant's Exhibits 26-53 were marked and/or used.

Opening Statements are presented.

Plaintiff's case.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-014275

05/18/2020

Karen Parks is sworn and testifies.

Virginia Savenelli is sworn and testifies.

Plaintiff's Exhibit No. 15 is offered.

Discussion is held regarding Plaintiff's Exhibit No. 56.

Counsel for Defendant makes an oral motion to exclude portions of Plaintiff's Exhibit No. 56 regarding attorneys' fees and costs, and any documents regarding property diminution of value.

After discussion with the parties about the various documents contained within Plaintiff's Exhibit No. 56, the Court removed a portion of this exhibit and that particular portion as stated on the record (Anderson Nelson expert costs) was then marked for identification as Plaintiff's Exhibit No. 62.

Plaintiff's Exhibit No. 56, as amended by the Court, is received in evidence.

Plaintiff's Exhibit No. 57 is received in evidence.

Plaintiff's Exhibit No. 23 is received in evidence.

Donald Anderson is sworn and testifies.

10:54 a.m. The Court stands at recess.

11:02 a.m. Court reconvenes with the parties and respective counsel present.

Donald Anderson continues to testify.

The witness is excused.

Laurinda Cummings is sworn and testifies.

The witness is excused.

Defendant's case.

Darryl Young is sworn and testifies.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-014275

05/18/2020

The witness is excused.

Discussion is held regarding Plaintiff's Motion to Order Defendant to Pay Plaintiff's Witness for Cancellation of Scheduled Deposition, filed May 15, 2020.

For the reasons stated on the record,

IT IS ORDERED granting Plaintiff's Motion. Counsel for Defendant shall pay Laurinda Cummings \$200 for the missed deposition scheduled for November 27, 2019.

Discussion is held regarding Plaintiff's request for attorneys' fees.

For the reasons stated on the record,

IT IS ORDERED Plaintiff shall have until 5:00 today, May 18, 2020 to submit in writing the legal basis for the Court to order \$25,000 in attorneys' fees.

IT IS FURTHER ORDERED counsel for Defendant may have until noon on May 19, 2020 to respond to the materials submitted by Plaintiff.

The parties are instructed to send Plaintiff's written legal basis and Defendant's response to each other and to the court's Judicial Assistant, Randy Collins, at Randy.Collins@JBAZMC.Maricopa.Gov

Once the briefing has been submitted and the Court has reviewed it, the Court will make its final ruling(s) on the issues.

LET THE RECORD REFLECT that upon the Court's ruling(s), all exhibits which have not been offered or received in evidence shall be mailed back to the party causing them to be marked by the courtroom clerk, or released to the parties causing them to be marked. The signature requirement on an Exhibit Release for is hereby waived.

12:24 p.m. Trial to the Court concludes.