

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-009427

08/10/2007

HONORABLE JOHN A. BUTTRICK

CLERK OF THE COURT
T. Melius
Deputy

DESTINI AGUERO

SCOTT F FRERICHs

v.

GEORGE JOHNSTON STEWART, et al.

MICHAEL JOHN HRNICEK

TRIAL MINUTE ENTRY
DAY ONE

9:25 a.m. This is the time set for Trial in this matter. Plaintiff is present with counsel, Scott F. Frerichs and Dane Cox. Defendants are represented by counsel, Michael J. Hrnicek and Kathleen M. Langley.

The proceedings are recorded electronically by CD and videotape in lieu of a court reporter.

Pre-trial matters are discussed.

The parties stipulate to a verdict of 6 out of 8 or 5 out of 7 should one juror be dismissed prior to verdict.

The rule of exclusion of witnesses is invoked.

9:44 a.m. Court stands in recess.

10:12 a.m. Court reconvenes with respective parties and counsel present.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2006-009427

08/10/2007

The prospective jury is now present.

Voir dire examination of jurors.

Jurors 2, 4, and are struck for cause.

Court and counsel discuss strikes for cause.

Counsel pass the panel for cause.

11:08 a.m. The prospective jury is excused, court remains in session.

11:11 a.m. Court stands in recess.

11:3 a.m. Court reconvenes with respective parties and counsel present.

The prospective jury is present.

The proceedings are recorded electronically by CD and videotape in lieu of a court reporter.

Eight (8) jurors are seated.

Preliminary jury instructions are read by the Court.

11:51 a.m. The jury is excused until 9:30 a.m. on Tuesday, August 15, 2007. Court remains in session.

Discussions are held regarding Defendant's Motion for Security for Costs filed on July 25, 2007.

IT IS ORDERED that Plaintiff shall file a Response to the Motion for Security for Costs and lodge a copy with this division on Monday, August 14, 2007. Argument on the motion will be held on Tuesday, August 15, 2007 prior to trial.

Discussions are held regarding Defendant's objection to the diminution of value disclosure and testimony.

12:17 p.m. Court stands in recess until 9:30 a.m. on August 15, 2007.