

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2012-008958

09/12/2013

HONORABLE ARTHUR T. ANDERSON

CLERK OF THE COURT
L. Nelson
Deputy

STATE OF ARIZONA, et al.

LISA MAXIE-MULLINS

v.

MARWEST ENTERPRISES L L C, et al.

DALE S ZEITLIN

DAVINA DANA BRESSLER

MINUTE ENTRY

Courtroom ECB-511:

9:31 a.m. This is the time set for Status/Scheduling Conference. The State of Arizona, ex rel. John Halikowski, Director of Department of Transportation (ADOT) is represented by counsel, Lisa Maxie-Mullins. Defendants, Marwest Enterprises, LLC, Perryville 19a, LLLP, Perryville 19c, LLLP, Perryville McDowell, LLC, are represented by counsel, Dale S. Zeitlin.

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

Discussion is held regarding case status and future scheduling including an amended scheduling order and Defendants' Motion to Permit Designation of Mr. Dominick as the Defendants' Expert Appraiser.

IT IS ORDERED granting Defendants' Motion to Permit Designation of Mr. Dominick as the Defendants' Expert Appraiser.

THEREFORE IT IS ORDERED resetting the following schedule for disclosure, discovery, and pre-trial procedures unless the parties obtain written modifications from the Court:

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- 1) **September 30, 2013** – Plaintiff may supplement the opinions and reports of its expert witness limited to change of access;
- 2) **November 30, 2013** – The parties shall simultaneously disclose the opinions and reports of rebuttal expert witnesses;
- 3) **November 30, 2013** - The parties shall disclose the names of all non-expert witnesses regarding any issue;
- 4) **January 24, 2014** - ALL discovery shall be completed;

All motions shall comply with Maricopa County Local Rule 3.2(f). If a motion to exceed page limitation is accompanied with a proposed filing, counsel do so at their own peril;

- 5) **January 31, 2014** - Motions in Limine shall be filed and Responses thereto filed in compliance with the Rules. No replies are necessary. Each pleading shall not exceed 5 pages in length;

IT IS FURTHER ORDERED vacating the Final Trial Management Conference scheduled on November 22, 2013, and resetting same on **February 14, 2014, at 10:00 a.m. (30 min.)** in this division. Counsel who will try this case shall appear in person at the Final Trial Management Conference.

IT IS FURTHER ORDERED vacating the 4-day Jury Trial scheduled on December 2, 2013, and resetting same to begin on for **February 24, 2014, at 9:30 a.m.** in this division.

**THIS IS A FIRM TRIAL SETTING
NO CONTINUANCE SHALL BE GRANTED**

Discussion is held and Defense counsel makes an oral Motion to Withdraw Defendants' Motion for Partial Summary Judgment.

IT IS ORDERED Defendants' Motion for Partial Summary Judgment is withdrawn.

9:53 a.m. Matter concludes.

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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.