

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-010943

04/17/2012

HONORABLE EILEEN S. WILLETT

CLERK OF THE COURT
J. Rutledge
Deputy

I M H SPECIAL ASSET N T 168 L L C

SARAH K LANGENHUIZEN

v.

APERION COMMUNITIES L L L P, et al.

SANFORD J GERMAINE

TELEPHONIC STATUS CONFERENCE

This matter was set on the Court's calendar for a Telephonic Status Conference at 10:00 a.m. this date. At the time of the conference, the Court conferred with Sarah K. Langenhuizen and Jeffrey J. Goulder, counsel for Plaintiff; and Sanford J. Germaine, counsel for Defendants.

The Court has considered *Response To and/or For Motion for Reconsideration Re Motion for Emergency Rule 16 Telephonic Scheduling Conference and Request to Reschedule March 30, 2012 Fair Market Value Hearing and Request to Extend Deadline to Complete Mediation*, filed March 21, 2012; and *Joint Motion for Expedited Telephonic Rule 16 Conference*, filed April 2, 2012. The Court has also reviewed the underlying Motion for Summary Judgment, filed October 25, 2011, fully briefed by the parties.

In response to the issue raised in the Joint Motion filed April 2, 2012:

- Issue No. 1: Yes
- Issue No. 2: No
- Issue No. 3: Yes
- Issue No. 4: Yes, an appraisal of property adjacent to the subject properties is relevant. Provided Rules of Evidence are followed, the Appraisal can be offered into evidence.
- Issue No. 5: Yes

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The Plaintiff's Motions in Limine No. 1-4 are moot. No Responses are necessary.

The Evidentiary Hearing set for May 11, 2012 is vacated. Mediation is set on June 12, 2012 at 9:00 a.m.

Defendants intend to call the property owner and two appraisers. The Plaintiff intends to call its Appraiser. Additional witnesses are discussed. Experts will be travelling from Texas.

IT IS ORDERED setting Evidentiary Hearing for **June 29, 2012 at 9:30 a.m. (allotted time: 1 day)** in this division.

Disclosure of expert opinions shall be exchanged no later than **thirty (30) days** from the filing of this Minute Entry.

All issues raised in the motions set forth herein are resolved. The Motion for Reconsideration is granted to the extend set forth above.

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.