

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-004395

06/28/2016

HONORABLE JAMES T. BLOMO

CLERK OF THE COURT
G. Verbil
Deputy

PIVOTAL 650 CALIFORNIA ST L L C

BRYAN F MURPHY

v.

DICKINSON WRIGHT P L L C, et al.

JAMES R CONDO

UNDER ADVISEMENT RULING

The Court has under advisement, following oral argument, Plaintiff's Motion to Preclude Expert Testimony of CBRE and to Limit Expert Testimony of David Shechtman and David Weekly.

Plaintiff contends that the CBRE appraisal did not accurately reflect the value of the property due to the direction provided by defense counsel and therefore must be stricken. In addition, Plaintiff contends that Mr. Shechtman's and Mr. Weekly's reliance on the appraisal for the basis of their expert opinion results in their preclusion.

While Plaintiff's contention that the subject appraisal is not credible may be correct, the issue for the Court is one of admissibility as opposed to the weight that should be given to the appraisal.

The Court finds that the appraisal is admissible and any inaccuracies or flaws should be challenged during cross examination.

Accordingly,

IT IS ORDERED denying Plaintiff's Motion to Preclude Expert Testimony of CBRE and to Limit Expert Testimony of David Shechtman and David Weekly.