

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-015102

01/26/2015

HON. RANDALL H. WARNER

CLERK OF THE COURT
K. Ballard
Deputy

FORT MCDOWELL YAVAPAI NATION, et al. LEO R BEUS

v.

STEPTOE & JOHNSON L L P, et al.

GARY L BIRNBAUM

JOHN DANIEL CAMPBELL

STATUS CONFERENCE SET

Courtroom: ECB - 512

8:59 a.m. This is the time set for a status conference. Plaintiffs Fort McDowell Yavapai Nation, Fort McDowell Enterprises, LLC, and We-Ka-Jassa Investment Fund, LLC (collectively, "Plaintiffs") are represented by Counsel Leo R. Beus, Linnette R. Flanigan and Thomas A. Gilson. Defendants Steptoe & Johnson, LLP, Nancy White and Ralph Guerin (collectively, the "Steptoe Defendants") are represented by Counsel Gary L. Birnbaum and Scot L. Claus. Defendants Lawrence E. Bloom, Larry D. Schnepf and Ringel Valuation Services, Inc. (collectively, the "Appraisal Defendants") are represented by Counsel Kristopher Lee Smith (appearing in place of John Daniel Campbell).

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

The court has reviewed the parties' January 20, 2015 Joint Status Report.

The court will extend the deadlines as requested in the Joint Report and will continue the September 14, 2015 trial date.

Discussion is held regarding a new trial date.

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The court proposes a new trial date of January 11, 2016 for 6 weeks and a tentative trial management conference on December 11, 2015 from 10:00 a.m. to noon. To accommodate the requested number of days for trial, and to make up for the Martin Luther King and Presidents' Day holidays, trial would be in session on Friday, January 22 and Friday, February 19, 2016.

Counsel for the Steptoe Defendants requests time to confer with witnesses regarding their schedules before formally resetting the trial date.

IT IS ORDERED setting a **telephonic** status conference on **February 2, 2015 at 8:30 a.m.** (time allotted: **15 minutes**) in this division for the purposes of resetting the September 14, 2015 trial date and the July 24, 2015 final trial management conference. Plaintiffs' counsel shall initiate the conference call to this division at **602-372-2966**. All persons appearing shall appear on land lines and not on cellular phones, and shall not use the speakerphone features of their telephones, in order to maximize all participants' ability to hear and be heard. Counsel shall have their calendars available for this proceeding.

By agreement of parties,

IT IS ORDERED modifying the following pretrial deadlines in this matter.

1. Defendants shall have up to and including **February 23, 2015** to complete all previously scheduled depositions and, if necessary, any deposition prompted by the newly disclosed evidence.
2. The Defendants shall disclose all expert opinions related to Plaintiffs' alleged "lost casino" damages by **March 18, 2015**.
3. The parties shall simultaneously disclose rebuttal expert opinions no later than **April 20, 2015**.
4. Expert discovery and depositions shall be completed by **June 24, 2015**.
5. Dispositive motions shall be filed no later than **July 20, 2015**.
6. The parties remaining in this action shall participate in comprehensive private mediation no later than **August 24, 2015**.

Counsel for the Steptoe Defendants advises the court that he will be filing a motion shortly that will ask for accelerated briefing and consideration. The court asks that counsel

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confer regarding expedited briefing prior to filing and include any agreements thereto in the forthcoming motion.

NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division (602-372-2966) three (3) court business days before the scheduled hearing.

The parties are encouraged to view Judge Warner's online profile of the Superior Court's website for additional information on appearing before Judge Warner.