

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-018170

08/24/2005

HONORABLE REBECCA A. ALBRECHT

CLERK OF THE COURT
K. Ballard
Deputy

FILED: 08/26/2005

CHARLES HUMMER, et al.

DANIEL B TREON

v.

BURLINGTON INSURANCE COMPANY, THE, SCOTT A SALMON
et al.

JAMES W EVANS
MARK E GOVE
LUCAS N FRANK
RICHARD T TREON

PRETRIAL CONFERENCE

8:46 a.m. This is the time set for Pretrial Conference. Present on behalf of Plaintiffs Hummer is Daniel B. Treon; present on behalf of Defendant Burlington Insurance Company is Scott A. Salmon (arriving a few minutes after the conference began); present on behalf of Brown Insurance, Inc. is Lucas N. Frank; present on behalf of Defendant R.L. Gresham & Co. is James W. Evans; and present on behalf of Defendants Frontier Adjusters, Overholt, and Wood is Mark E. Gove.

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

LET THE RECORD REFLECT the visual portion of the recording system is not functioning at this time; however, the audio portion is unaffected.

The Court has reviewed the parties' Joint Pretrial Memorandum.

Discussion is held regarding the status of the case.

IT IS ORDERED as follows:

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1. Plaintiffs shall disclose no later than **September 30, 2005**, the Plaintiffs' position or plan with regard to the interpretation of business claim: that is, a decision will be made to dismiss it from this litigation, to move forward with an appraisal, or some other form of resolution as to the manner in which the Plaintiffs expect that claim to be handled in this case. If that decision has not been made by that date, and the Court has not been advised of a need to extend that deadline, that claim will be dismissed from this litigation.
2. The Plaintiffs will disclose their experts and opinions by **December 1, 2005**.
3. Defendants will disclose their experts and opinions by **January 15, 2006**.
4. The Plaintiffs will disclose any rebuttal experts or opinions made necessary by new defenses or areas of opinions disclosed by the Defendants by **February 15, 2006**.
5. Plaintiffs will disclose their lay witnesses by **December 1, 2005**.
6. Defendants shall disclose their lay witnesses by **January 15, 2006**.
7. All discovery and all disclosures shall be completed by **April 30, 2006**. No discovery/disclosure done after that date, whether on stipulation or not, shall be used at trial unless the Court enters a written order permitting such discovery/disclosure.
8. Setting this matter for a Status Conference on **Friday, January 13, 2006 at 8:45 a.m.** to review the status of this matter and to set the matter for trial.

If the decisions that are made at the end of September make it clear that the discovery and disclosure schedule entered today is not possible to achieve, the Court is to be advised as soon as possible so that the Court can reconvene this matter and reset the discovery and disclosure deadlines.

The O'Toole Plaintiffs were not represented this morning; however the orders with regard to discovery and disclosures will bind these Plaintiffs as well as they were signatories on the Joint Pretrial Memo.

9:09 a.m. Matter concludes.