

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2017-000371

09/14/2017

HONORABLE KERSTIN LEMAIRE

CLERK OF THE COURT  
D. Charbagi  
Deputy

ALYDA DICKSON

KEVIN F MCCARTHY

v.

MATHEW CLAGETT, et al.

PAUL O MITTELSTADT

RAYMOND J SLOMSKI

MINUTE ENTRY

The Court has read and reviewed the fully briefed Defendant's Motion for Summary Judgment filed May 25, 2017 in this matter. Under the Court's review of the case law and facts of the case, it is inclined to grant the Motion for Summary Judgment as the Defendant does not appear to have breached a duty owed to Plaintiff. Prior to entering said order, the Court will offer Plaintiff the opportunity to present oral argument to the Court as to how the facts of the case establish that Defendant breached a legal duty to Plaintiff in his completion of the appraisal requested by the purchasers of the property she was selling.

**IT IS ORDERED** setting Oral Argument on **October 6, 2017, at 10:00 a.m. (time allotted: 45 minutes)**. Counsel and the parties, if representing themselves, are to appear in person before:

**THE HONORABLE KERSTIN LEMAIRE  
MARICOPA COUNTY SUPERIOR COURT  
EAST COURT BUILDING  
101 W. JEFFERSON  
7TH FLOOR, COURTROOM 711  
PHOENIX, AZ 85003  
PHONE: 602-506-8245**

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**NOTE:** All court proceedings are recorded digitally and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

If the parties are not familiar with the courtroom's technology, they are encouraged to set up an appointment with the court's technology liaison at 602.506.8247.