

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-008132

02/01/2016

HONORABLE PATRICIA ANN STARR

CLERK OF THE COURT
T. DeRaddo
Deputy

CITY OF PHOENIX, THE

DIANE M MILLER

v.

ALLEN H G CHEUNG, et al.

DALE S ZEITLIN

DAVINA DANA BRESSLER

ORAL ARGUMENT SET

The Court has received Defendants (Allen H. G. Cheung and Diana S. K. Cheung, Trustees of the Allen H. G. Cheung and Diana S.K. Cheung 1993 Living Trust Dated 10/14/1993), *Cheung's Motion for Partial Summary Judgment Re: Just Compensation and Motion to Strike Dunlap's Appraisal as Violating Arizona Eminent Domain Law*, and Defendants Cheungs' *Statement of Facts in Support of Cheungs' Motion for Partial Summary Judgment* filed on December 11, 2015.

Accordingly,

IT IS ORDERED setting Oral Argument on **March 2, 2016 at 9:00 a.m.** (Time allotted: 30 minutes) in this division.

**Honorable Patricia A. Starr
101 W. Jefferson, East Court Building, Suite 412
Phoenix, 85003
(602) 506-4164**

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NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Should you want an unofficial copy of the proceedings, the parties or counsel may request a videotape or CD of the proceedings for a \$30.00 charge. If a CD or videotape is requested, please obtain a form from the Self Service Center to request a daily copy of a court hearing or trial proceeding being conducted. Pay the applicable fee **at the Self Service Center**. Attach the receipt showing payment of the fee and present both the receipt and the form to the courtroom clerk or bailiff. **For copies of hearings or trial proceedings recorded previously, please call Electronic Records Services at 602-506-7100.** Should an official transcript be required, you may request that the court prepare it. The party ordering the transcript must pay for it. To request a transcript, call 602-506-7100 and provide the date of the proceeding, the case number, the case caption, if the transcript is for an appeal, and your name, address, and telephone number.

NOTE: 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.

Failure to timely request a court reporter will be deemed consent to proceed without a court reporter.

IF ANY ISSUES IN THE MOTION RELATE TO DISCOVERY PROBLEMS, COUNSEL SHALL CONFER TO ATTEMPT TO RESOLVE THEIR DIFFERENCES OR TO REDUCE THE AREAS OF DISPUTE. COUNSEL ARE REMINDED THAT THE COURT WILL LIKELY IMPOSE SANCTIONS AGAINST THE LOSING PARTY IN ACCORDANCE WITH RULE 37(a)(4), RULES OF CIVIL PROCEDURE.

IT IS FURTHER ORDERED:

Any motion or stipulation for continuance must be filed with the Court no later than four court days prior to the date set for hearing. After that date, no continuances will be granted except for extraordinary circumstances.

All memoranda and affidavits regarding the motion must be filed and copies lodged with this division no later than four court days prior to the date set for hearing.

Counsel are advised that if the answering memorandum is not timely filed in accordance with the Arizona Rules Of Civil Procedure, oral argument may be vacated and the motion will be ruled upon in accordance with Rule 7.1 (b), A.R.C.P.

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No agreement by the parties to modify the pleading schedule will be honored by the Court unless the Court is notified and approves the parties' agreement. Any such agreement will not change the argument date without a court Order and will, in any event, require that all motions are fully briefed and at issue not later than one full week before the argument date.