

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-014302

11/12/2015

HONORABLE CHRISTOPHER WHITTEN

CLERK OF THE COURT
H. Bell
Deputy

LITMATH L L C

MICHAEL N POLI

v.

UNITED STATES FIRE INSURANCE
COMPANY, et al.

GENA L SLUGA

DAVID L O'DANIEL

ORAL ARGUMENT SET

The Court has received the Defendant United States Fire Insurance Company's Motion to Extend Stay Until Completion of Appraisal and Motion for Sanctions filed November 2, 2015 and Plaintiff's Expedited Motion to (1) Reinstate Case on Active Calendar, (2) Vacate the November 30, 2015 Dismissal Date, and (3) Vacate the Appraisal Order, filed November 4, 2015.

IT IS ORDERED setting Oral Argument on the aforementioned motions on **December 11, 2015 at 10:00 a.m. (time allotted: 30 minutes)** before:

**Honorable Kerstin LeMaire
Maricopa County Superior Court
East Court Building
101 West Jefferson Street
7th Floor, Courtroom 711
Phoenix, AZ 85003
602-372-0756**

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A record of the proceedings will be made by videotape and CD in lieu of 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 courtroom clerk or 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. With this new technology, a court reporter is likely not required and the parties are encouraged to experience the court's video recording system before requesting 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.

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.

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NOTE: All court proceedings are recorded by audio and video method 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.

The Hon. Kerstin LeMaire has been assigned to take over the civil calendar previously assigned to Hon. David Cunanan, effective November 16, 2015. Accordingly,

All hearings, arguments, trials, and other events which are currently scheduled to occur before November 16, 2015 will be heard by:

**Honorable Christopher Whitten
125 W. Washington
Old Courthouse, Suite 201
Phoenix, Arizona 85003
(602) 372-1164**

All hearings, arguments, trials, and other events which are currently scheduled to occur after November 16, 2015 will be heard by:

**Honorable Kerstin LeMaire
Maricopa County Superior Court
East Court Building
101 West Jefferson Street
7th Floor, Courtroom 711
Phoenix, AZ 85003
602-372-0756**