

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2004-004103

05/11/2009

HONORABLE ROBERT BUDOFF

CLERK OF THE COURT
L. Carlson
Deputy

STEVEN H CHAPMAN, et al.

ANTONIO M ROSACCI

v.

MARICOPA COUNTY

JORGE FRANCO JR.

MINUTE ENTRY

2:30 p.m. This is the time set for continuation of Final Pretrial Conference. Present are Plaintiff Steven Chapman appearing with counsel Antonio Rosacci and counsel Jorge Franco, Jr. for Defendant.

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

Pretrial matters are discussed.

1. The parties have agreed to electronic recording.
2. The parties have waived the opportunity to make mini-opening statements to the jury panel.
3. The parties have agreed that the Court may read to the jury panel a statement of the case prior to voir dire which is contained in Paragraph VIII of the parties' Joint Pretrial Statement.

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4. Plaintiff's counsel's objection to this Court referring to non-parties at fault in its statement of the case to the jury is denied.
5. The parties have agreed that, if necessary, either one of them may call Theodore Brennan (who did a prior appraisal of the property in 1999) to testify.
6. The parties have agreed that there will be one alternate juror. The alternate will participate in deliberations. If all jurors remain at the end of the trial, 7 of 9 would be required for a verdict. If the jury panel is reduced to 8, then 6 of 8 will be required. If the jury panel is reduced to 7, 5 of 7 may render a verdict.
7. The following exhibits are received in evidence: Defendant's 2, 3, 11, 13-25, 29, 32-24 and Plaintiffs' exhibit 41.

3:45 p.m. Matter concludes.