

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2001-008401

03/25/2004

HONORABLE J. RICHARD GAMA

CLERK OF THE COURT
L. Muhammad
Deputy

FILED: 03/26/2004

MARICOPA COUNTY FLOOD CONTROL
DISTRICT

KATHLEEN A PATTERSON

v.

LARRY ROVEY FARMS, et al.

DALE S ZEITLIN

MINUTE ENTRY

The Court has received and considered Plaintiff's *Motion in Limine Re Plaintiff's Objections to Defendant's Multiple Trial Witnesses on Valuation Issue*, the responsive pleading and the reply. In addition, the Court has considered Defendant's *Motion in Limine Re Plaintiff's Multiple Trial Witnesses on Highest and Best Use*, and the responsive pleading.

THE COURT DOES FIND that the use by Defendant of witnesses Bullington and Nathan regarding the value of the subject property, is cumulative and does violate Rules of Civil Procedure, Rule 26(b)(4)(d).

THE COURT FURTHER FINDS that the testimony of experts Lopez [appraiser] and Drake [land use planning] is not cumulative and permissible pursuant to ARCP, Rule 26(b)(4)(d).

IT IS ORDERED granting Plaintiff's *Motion in Limine*. Each side will be limited to providing one expert witness's testimony on the valuation of the property.

IT IS FURTHER ORDERED that Defendant shall be limited to offering the testimony of one property owner representative to express a lay opinion on value.

IT IS FURTHER ORDERED that each side will be further limited in providing one expert witness's testimony on land use planning issues.

IT IS FURTHER ORDERED denying Defendant Larry Rovey Farms's *Motion in Limine*.