

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2019-011499

07/07/2020

HONORABLE DANIEL G. MARTIN

CLERK OF THE COURT
J. Eaton
Deputy

PETER S DAVIS

KENNETH M FRAKES

v.

U S BANK N A, et al.

AMANDA Z WEAVER

NICOLE GOODWIN
ANDREW F HALABY
JUDGE DANIEL MARTIN

ORAL ARGUMENT SET

The Court has received Defendants JPMorgan Chase Bank, N.A., Samantha Nelson, Kristofer Nelson, Vikram Dadlani, and Jane Doe Dadlani's Motion to Dismiss Count Two of Plaintiff's First Amended Complaint, filed May 6, 2020 and Defendants U.S. Bank, N.A. and Hilda H. Chavez's Motion to Dismiss First Amended Complaint, filed May 6, 2020.

IT IS ORDERED setting video Oral Argument on **August 14, 2020**, at **10:30 a.m.** (time allotted: 60 minutes) in this division. The Court's judicial assistant will email the parties a link to attend the proceeding via the GoToMeeting platform the business day prior to the conference. The Court's bridge line will be open for observers at: 602-506-9695 or toll free 1-855-506-9695 (participant collaboration code 101760).

NOTE: All court proceedings are made digitally in lieu of 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.

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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.