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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

1 Peter S. Davis, as Receiver of DenSco  
2 Investment Corporation, an Arizona  
3 corporation,

4 Plaintiff,

5 vs.

6 Clark Hill PLC, a Michigan limited  
7 liability company; David G. Beauchamp  
8 and Jane Doe Beauchamp, husband and  
9 wife,

10 Defendants.

No. CV2017-013832

**SCHEDULING ORDER**

(Commercial case)

(Assigned to the  
Honorable Daniel Martin)

11 After considering the parties' joint report and matters discussed during a  
12 Rule 16(d) Pretrial Conference held on May 4, 2018, the Court orders as follows:

13 **1. Initial disclosure:** The parties exchanged their initial disclosure statements on  
14 March 5, 2018. The parties will seasonably supplement their Rule 26.1 statements as  
15 required by rule.

16 **2. Expert witness disclosure:** The parties shall simultaneously disclose areas of  
17 expert testimony by: **September 7, 2018.**

18 The parties shall simultaneously disclose the identity and opinions of case-in-  
19 chief experts by: **April 5, 2019.**

20 The parties shall simultaneously disclose their rebuttal expert opinions by:  
21 **June 7, 2019.**

1 The parties have agreed to follow the terms of Fed. R. Civ. P. 26(a)(2)(B) with  
2 respect to the requirement for, and the contents of, a written report signed by each  
3 expert. The parties have further agreed to follow the terms of Fed. R. Civ. P. 26(b)(4)  
4 with respect to discovery of expert witnesses.

5 **3. Lay (non-expert witness) disclosure:** The parties shall seasonably disclose all  
6 lay witnesses under Rule 26.1. A final list of lay witnesses shall be filed by: **June 14,**  
7 **2019.**

8 **4. Final supplemental disclosure:** Each party shall provide final supplemental  
9 disclosure by: **August 16, 2019.**

10 This Order does not replace the parties' obligation to seasonably disclose  
11 Rule 26.1 information on an on-going basis and as it becomes available.

12 No party shall use any lay witness, expert witness, expert opinion, or exhibit at  
13 trial not disclosed in a timely manner, except upon order of the court for good cause  
14 shown or upon a written or an on-the-record agreement of the parties.

15 **5. Discovery deadlines:** The parties may need to exceed the presumptive limits  
16 on discovery. They will first confer in good faith before requesting relief from the  
17 Court. The parties will propound all discovery undertaken pursuant to Rules 33  
18 through 36 by: **August 16, 2019.**

19 The parties will complete all discovery and the depositions of the parties, lay  
20 witnesses and expert witnesses by: **October 18, 2019.**

21 ("Complete discovery" includes conclusion of all depositions and submission  
22 of full and final responses to written discovery.)

23 **6. Settlement conference or private mediation:** The parties will participate in a  
24 private mediation no later than the pre-trial conference to be set by the Court.

25 All attorneys and their clients, all self-represented parties, and any non-  
26 attorney representatives who have full and complete authority to settle the case, shall  
27 personally appear and participate in good faith in this mediation, even if no settlement  
28 is expected. However, if a non-attorney representative requests a telephonic

1 appearance and the mediator grants the request prior to the mediation date, a non-  
2 attorney representative may appear telephonically.

3 **7. Dispositive motions:** The parties shall file all dispositive motions by:  
4 **November 15, 2019.**

5 **8. Trial setting conference:** On **December 3, 2019 at 8:45 a.m.**, the court will  
6 conduct an in-person trial setting conference. Attorneys and self-represented parties  
7 shall have their calendars available for the conference.

8 **9. Firm dates:** No stipulation of the parties that alters a filing deadline or a  
9 hearing date contained in this scheduling order will be effective without an order of  
10 this court approving the stipulation. Dates set forth in this order that govern court  
11 filings or hearings are firm dates, and may be modified only with this court's consent  
12 and for good cause. This court ordinarily will not consider a lack of preparation as  
13 good cause.

14  
15 DATED this \_\_\_\_ day of \_\_\_\_\_, 2018.

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19 The Honorable Daniel Martin  
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Filing ID: 9345112 Case Number: CV2017-013832  
Original Filing ID: 9334866

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Granted with Modifications



/S/ Daniel Martin Date: 5/15/2018  
Judicial Officer of Superior Court

**ENDORSEMENT PAGE**

CASE NUMBER: CV2017-013832

SIGNATURE DATE: 5/15/2018

E-FILING ID #: 9345112

FILED DATE: 5/16/2018 8:00:00 AM

GEOFFREY M STURR

JOHN E DEWULF