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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

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

Plaintiff,

v.

US Bank, NA, a national banking
 organization; Hilda H. Chavez and John
 Doe Chavez, a married couple; JP
 Morgan Chase Bank, N.A., a national
 banking organization; Samantha Nelson
 f/k/a Samantha Kumbaleck and Kristofer
 Nelson, a married couple; and Vikram
 Dadlani and Jane Doe Dadlani, a married
 couple,

Defendants.

No. CV2019-011499

SCHEDULING ORDER

(Tier 3 case)

(Assigned to Hon. Daniel G. Martin)

(Commercial case)

Upon consideration of the parties' Joint Report, the court orders as follows:

The case is assigned to discovery Tier 3, pursuant to Rule 26.2.

1. **Initial disclosure:** The parties have exchanged initial disclosure statements.

2. **Nonparties at fault:** Defendants shall file any notices of nonparty at fault in accordance with A.R.S. § 12-2506(B) and Ariz. R. Civ. P. 26(b)(5) by **April 30, 2021.**

1 3. **Expert witness disclosure:** The parties shall simultaneously disclose
2 areas of expert testimony by **August 20, 2021**.

3 The parties shall simultaneously disclose the identity and opinions of experts for
4 which the parties bear the burden of proof by **January 14, 2022**.

5 The parties shall simultaneously disclose their rebuttal expert opinions by
6 **March 11, 2022**.

7 4. **Lay (non-expert witness) disclosure:** The parties shall disclose all lay
8 witnesses by **October 15, 2021**.

9 5. **Final supplemental disclosure:** Each party shall provide final
10 supplemental disclosures by **March 11, 2022**. This Order does not replace the parties'
11 obligation to seasonably disclose Rule 26.1 information on an on-going basis and as it
12 becomes available.

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

16 6. **Discovery deadlines:** The parties will propound by **October 29, 2021** all
17 discovery undertaken pursuant to Rules 33 through 36. The parties will complete by
18 **January 21, 2022** the depositions of the parties and lay witnesses, and by **April 8,**
19 **2022**, the depositions of expert witnesses. The parties will complete by **April 8, 2022**
20 all other discovery, which includes but is not limited to, submission of full and final
21 responses to written discovery. ("Complete discovery" includes conclusion of all
22 depositions and submission of full and final responses to written discovery.)

23 7. **Settlement conference or private mediation:** The parties will conduct a
24 private mediation no later than **April 8, 2022**. All attorneys and their clients, all self-
25 represented parties, and any non-attorney representatives who have full and complete
26 authority to settle the case, shall appear personally and participate in good faith in this
27 mediation, even if no settlement is expected. However, if a non-attorney representative
28

1 requests a telephonic appearance and the mediator grants the request, a non-attorney
2 representative may appear telephonically.

3 8. ***Dispositive motions:*** The parties shall file all dispositive motions by **May**
4 **13, 2022.**

5 9. ***Trial setting conference:*** On **June 1, 2022 at 8:30 a.m.**, the court will
6 conduct a telephonic trial setting conference. Attorneys and self-represented parties
7 shall have their calendars available for the conference. All parties shall call 1-855-506-
8 9695 (participant collaboration code 101760) five (5) minutes prior to the scheduled
9 hearing.

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

15
16 Date _____

17 Honorable Daniel G. Martin
18 Judge of the Superior Court
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eSignature Page 1 of 1

Filing ID: 12711515 Case Number: CV2019-011499
Original Filing ID: 12675553

Granted with Modifications



/S/ Daniel Martin Date: 3/30/2021
Judicial Officer of Superior Court

ENDORSEMENT PAGE

CASE NUMBER: CV2019-011499

SIGNATURE DATE: 3/30/2021

E-FILING ID #: 12711515

FILED DATE: 3/31/2021 8:00:00 AM

AMANDA Z WEAVER

COLIN F CAMPBELL

NICOLE GOODWIN