

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-007281

02/25/2014

HONORABLE DEAN M. FINK

CLERK OF THE COURT  
S. Heras  
Deputy

LESLIE A JONES, et al.

DAVID LEE ALLEN  
LAURA ROGAL

v.

RONALD PERKINS FAMILY LIMITED  
PARTNERSHIP, THE, et al.

LARRY J CROWN

PAUL THEUT  
5150 N 16TH ST  
WILLOWICK SQUARE SUITE B-236  
PHOENIX AZ 85016  
BRADLEY D WEECH  
HILLARY P GAGNON

MINUTE ENTRY  
DAY 19

Old Courthouse- Courtroom 202

9:25 a.m. This is the time for an informal telephonic conference for the purpose of addressing a juror question. All parties appear telephonically. Appearing on behalf of the Plaintiffs are counsel, David L. Allen and Laura Rogal. The Defendant Ronald Keith Perkins is present and represented by counsel, Larry J. Crown and Hillary P. Gagnon, who also represent the Defendants, DeWain Connolly, The Ronald Perkins Family Limited Partnership and Wanda Perkins Management Company. Defendant, Wanda Perkins is represented by counsel, Bradley Weech.

Court reporter, Cindy Benner, is present and a record of the proceedings is made by audio and/or videotape.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-007281

02/25/2014

Discussion is held regarding the juror question received on February 24, 2014. Pursuant to counsel agreement, an appropriate answer has been determined and the Court returns the answer to the jury.

FILED: Juror Question Form (1)

9:30 a.m. Let the record reflect that the jury is all present in the jury room and resume their deliberations from February 24, 2014.

10:08 a.m. Court stands at recess.

1:22 p.m. This is the time for an informal telephonic conference for the purpose of addressing a juror question. All counsel appear telephonically. Appearing on behalf of the Plaintiffs are counsel, David L. Allen and Laura Rogal. Appearing on behalf of the Defendant Ronald Keith Perkins and DeWain Connolly are counsel, Larry J. Crown and Hillary P. Gagnon, who also represent The Ronald Perkins Family Limited Partnership and Wanda Perkins Management Company. Defendant, Wanda Perkins is represented by counsel, Bradley Weech.

Court reporter, Cindy Benner, is present and a record of the proceedings is made by audio and/or videotape.

The Court has received a juror question, same is discussed with counsel. Pursuant to counsel agreement, an appropriate answer has been determined and the Court returns the answer to the jury.

FILED: Juror Question Form (1)

The Court advises counsel that they will be permitted to confer with the jury members at the end of trial, with restrictions as stated on the record.

1:42 p.m. Court stands at recess.

2:57 p.m. Court reconvenes with respective counsel and parties present. Plaintiffs, Leslie Jones and Cathy Tabor are present and represented by counsel, David Allen and Laura Rogal. Defendants, Keith Perkins and DeWain Connolly are present and represented by counsel, Larry Crown and Hillary Gagnon, who also represent The Ronald Perkins Family Limited Partnership and Wanda Perkins Management Company. Defendant, Wanda Perkins is represented by counsel, Bradley Weech.

Paul Theut, Guardian Ad Litem to Wanda Perkins is present.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-007281

02/25/2014

The jury is not present.

Court reporter, Cindy Benner, is present and a record of the proceedings is made by audio and/or videotape.

Discussion is held regarding the Defendant's objection regarding the breach of contract instructions and how they may have affected the verdicts. Arguments are heard regarding same.

3:14 p.m. Court stands at recess.

3:29 p.m. Court reconvenes for the Trial to a jury. Plaintiffs, Leslie Jones and Cathy Tabor are present and represented by counsel, David Allen and Laura Rogal. Defendants, Keith Perkins and DeWain Connolly are present and represented by counsel, Larry Crown and Hillary Gagnon, who also represent The Ronald Perkins Family Limited Partnership and Wanda Perkins Management Company. Defendant, Wanda Perkins is represented by counsel, Bradley Weech.

Paul Theut, Guardian Ad Litem to Wanda Perkins is present.

Court reporter, Cindy Benner, is present and a record of the proceedings is made by audio and/or videotape.

The jury is all present in the jury box and by their Foreperson return into court their verdict, which is read and recorded by the Clerk and is as follows:

On the breach of contract claim,

We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiffs and against Defendant Wanda I. Perkins.

The verdict is unanimous and signed by the Foreperson.

The jurors reply that this is their true verdict.

On the fraudulent transfer claim,

We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiffs and against Defendants Ronald Keith Perkins and DeWain N. Connolly.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-007281

02/25/2014

The verdict is unanimous and signed by the Foreperson.

The jurors reply that this is their true verdict.

On the fraud claim,

We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiffs and against Defendant Wanda I. Perkins.

The verdict is not unanimous, but is signed by eight individual jurors.

The jurors who signed reply that this is their true verdict.

On the request for punitive damages related to the Plaintiffs' fraud claim,

We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiffs and against Defendant Wanda I. Perkins, and we further find the full amount of punitive damages to be: \$1,000,000.

The verdict is not unanimous, but is signed by eight individual jurors.

The jurors who signed reply that this is their true verdict.

On the breach of fiduciary duty claim against the ILIT1 trustees,

We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiffs and against Defendants Ronald Keith Perkins and DeWain N. Connolly.

The verdict is unanimous and signed by the Foreperson.

The jurors reply that this is their true verdict.

On the request for punitive damages related to the breach of fiduciary duty claim against the ILIT1 trustees,

We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of Plaintiffs, and against Defendant Ronald Keith Perkins, and we further find the full amount of punitive damages to be: \$1,000,000.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-007281

02/25/2014

The verdict is unanimous and signed by the Foreperson.

The jurors reply that this is their true verdict.

On the request for punitive damages related to the breach of fiduciary duty claim against the ILIT1 trustees,

We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor Plaintiffs, and against Defendant DeWain N. Connolly, and we further find the full amount of punitive damages to be \$1,000,000.

The verdict is unanimous and signed by the Foreperson.

The jurors reply that this is their true verdict.

On the breach of fiduciary duty claim against the FLP Partners,

We, the Jury, duly empanelled and sworn in the above-entitled action, upon our oaths, do find in favor of the Ronald Perkins Family Limited Partnership and against the following Defendants: The Wanda Perkins Management Company, Wanda I. Perkins, as trustee of her survivor's trust, Ronald Keith Perkins, and DeWain N. Connolly.

We further find the full amount of damages to be: \$0.00.

Included within this amount, we determine the following amount to be a return of a portion of Defendant Wanda Perkins, as trustee of her survivor's trust's contribution to the Capital Account that was in violation of the partnership agreement: \$0.00.

The verdict is unanimous and signed by the Foreperson.

The jurors reply that this is their true verdict.

3:27 p.m. The jury is excused from the courtroom; court remains in session.

Discussion is held regarding verdict form 5A and any clarification that may be needed.

In order to preserve the status quo,

**IT IS ORDERED** that Defendants may not transfer, move, sell or otherwise dispose of any property or assets in ILIT 1, ILIT 2, the Burton Ranch Trust, or the Family Limited Partnership.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2009-007281

02/25/2014

The Court notes that both Defendants Ronald Keith Perkins and DeWain N. Connolly have verbally acknowledged and understand the above order.

3:52 p.m. The jury returns to the courtroom.

3:56 p.m. The jury is thanked by the Court and excused from further consideration of this cause.

The Court addresses counsel regarding the schedule of the final day of Trial.

3:58 p.m. Court stands at recess until February 28, 2014 at 9:30 a.m.

**IT IS ORDERED** assessing jury fees in the total amount of \$5201.68 against Wanda I. Perkins c/o Keith Perkins, Wanda Perkins Management Company, Wanda I. Perkins as trustee of her survivor trust, Ronald Keith Perkins, DeWain N. Connolly all in accordance with formal written Judgment for Jury Fees signed by the Court on February 25, 2014 and entered (filed) by the Clerk on February 26, 2014.

Effective April 15, 2014 new civil rules and forms are in effect for managing cases moving to trial. Be sure to review the new Civil Rules 16, 26, 37, 38, 72 through 74 and 77.

**ALERT:** The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.