

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2007-013805

04/24/2008

HONORABLE JOHN A. BUTTRICK

CLERK OF THE COURT
C. Castro
Deputy

ARIZONA STATE CORPORATION
COMMISSION

MARK DINELL

v.

LEONARD CLARK RHODES JR.

LEONARD CLARK RHODES JR.
745 N GILBERT STE 124 PMB 111
GILBERT AZ 85234

MINUTE ENTRY

Courtroom 704 – Central Court Building

9:12 a.m. This is the time set for oral argument. Plaintiff is represented by counsel, Mark Dinell. Defendant is neither present nor represented by counsel.

A record of the proceedings is made by CD/videotape in lieu of a court reporter.

Defendant has not appeared and has not contacted this Court either in writing or by telephone to explain a reason for his nonappearance. Court personnel have attempted to contact Defendant by telephone to no avail.

Accordingly, this matter now proceeds.

Case status is discussed.

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Defendant, Leonard Clark Rhodes, Jr. was subpoenaed to appear for deposition testimony under oath. He failed to appear. The Arizona State Corporation Commission issued an Order to Show Cause related to Contempt. A return hearing was held on March 17, 2008. After the presentation of evidence, Defendant agreed to have his deposition taken in open court pursuant to Rule 80(d) Arizona Rules of Civil Procedure. He again failed to appear. Therefore,

For the reasons stated on the record,

THE COURT FINDS Defendant in civil contempt on the Order to Show Cause Re: Contempt and the Motion for Order to Hold Defendant in Contempt of Court for failure to appear at his deposition. Accordingly,

IT IS ORDERED that Defendant shall be incarcerated in the Maricopa County Jail for a period of thirty (30) days.

IT IS FURTHER ORDERED that Defendant may purge himself of contempt by providing deposition testimony under oath no later than close of business on May 1, 2008. Defendant is directed to contact Mr. Dinell directly at **(602) 542-0626**. If Defendant does not take his deposition and Mr. Dinell does not file an Affidavit of Compliance with the Court, Defendant is ordered to self-surrender to the Maricopa County Jail no later than close of business on May 1, 2008.

IT IS FURTHER ORDERED should Defendant not purge himself of contempt by the specified date and does not self-surrender to the Maricopa County Jail as ordered, a Civil Arrest Warrant shall issue for his immediate arrest and incarceration. Upon arrest, Defendant shall be incarcerated in the Maricopa County Jail for a period of thirty (30) days.

IT IS FURTHER ORDERED setting a telephonic status conference in this division on **June 9, 2008, at 3:30 p.m. for 15 minutes.**

The Court shall initiate the call at the aforesaid date and time.

9:30 a.m. Matter concludes.