

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2010-020060

05/15/2012

HONORABLE MARK H. BRAIN

CLERK OF THE COURT
T. Nosker
Deputy

TEDEE BEREZ

DAVID J CATANESE

v.

ANTHONY A ADMIRE, et al.

FREDERICK M CUMMINGS

PRETRIAL CONFERENCE

Courtroom ECB-814

10:34 a.m. This is the time set for Pretrial Conference. Plaintiff is represented by counsel, David J. Catanese. Defendants are represented by counsel, Frederick M. Cummins.

Court reporter, Debbie Croci, is present.

Court and counsel discuss status of the trial issues and pending motions in limine.

IT IS ORDERED as follows:

1. Granting Defendants' Motion in Limine Re: Undisclosed Damages Relating to Medical Bills and Treatment as unopposed.
2. Denying Plaintiff's Motion in Limine Re: Prior Medical Records and Treatment.
3. Denying Plaintiff's Motion in Limine Re: Prior Complaints of Prior Medical Care.
4. Granting Plaintiff's Motion in Limine Re: Dismissed Complaints Against Plaintiff's Expert Steven Gitt, M.D.
5. Denying Plaintiff's Motion in Limine Re: Discipline of Dr. Gitt by BOMEX.
6. Granting Plaintiff's Motion in Limine Re: Dr. Gitt's Statements to the Arizona Legislature.

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Further discussion is held regarding trial issues.

Counsel agree to a 9-member jury panel with a 7 out of 9 verdict ratio, 6 out of 8 or 5 out of 7, if necessary.

IT IS ORDERED affirming the 7-day Jury Trial set for **May 31, 2012 at 9:30 a.m.** in this division.

11:10 a.m. Matter concludes.

**JUDGE MARK BRAIN
MARICOPA COUNTY SUPERIOR COURT
EAST COURT BUILDING
101 WEST JEFFERSON
8th FLOOR, COURTROOM 814
PHOENIX, AZ 85003
602-372-1141 TEL**

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.