

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2009-019162
CV 2009-019206
CV 2009-019307

06/17/2009

COMMISSIONER MICHAEL L. BARTH

CLERK OF THE COURT
W. Thompson
Deputy

WADE BONNIE

WADE BONNIE
7627 N 31ST AVE
PHOENIX AZ 85081

v.

MICHAEL SALMAN

MICHAEL SALMAN
7601 N 31ST AVE
PHOENIX AZ 85051

MINUTE ENTRY

Courtroom: OCH 005.

For the purposes of today's Hearing only, the Court shall consolidate cause numbers CV2009-019162, CV2009-019206, and CV2009-019307.

10:10 a.m. This is the time set for Hearing Re: Injunction Against Harassment. Plaintiffs Wade Bonine, Guy Dryer, and Mary Bettis are present on their own behalf. Defendant Michael Salman is present on his own behalf.

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

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Discussion is held regarding the Court's procedure for facilitating the presentation of testimony and evidence.

Wade Bonine, Guy Dryer, Mary Bettis, Gary Bettis, Kristin Carnes, John Alvarez, and Frank Salman are sworn.

Suzanne Salman and Michael Salman are affirmed.

10:29 a.m. The court stands at recess.

10:37 a.m. Court reconvenes with all respective parties present.

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Plaintiffs' exhibits 1-12 and Defendant's 13-15 are marked for identification.

Plaintiffs' case:

Wade Bonine testifies.

Plaintiffs' exhibits 3-7, and 9-10 are received in evidence.

The witness is excused and remains in the courtroom.

Michael Salman testifies.

The witness is excused and remains in the courtroom.

Guy Dryer testifies.

Plaintiffs' exhibit 16 is marked for identification.

The witness is excused and remains in the courtroom.

Michael Salman resumes the stand and testifies further.

Gary Bettis testifies.

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The witness is excused and remains in the courtroom.

Kristin Carnes testifies.

Defendant's exhibit 13 is received in evidence.

Mary Bettis testifies.

Plaintiffs' exhibits 11 and 12 are received in evidence.

Defendant's exhibits 17 is marked for identification and received in evidence.

Plaintiffs rest.

12:05 p.m. The court stands at recess.

1:59 p.m. Court reconvenes with all respective parties present.

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

Defendant's case:

Defendant moves for dismissal stating lack of evidence.

IT IS ORDERED Defendant's oral motion to dismiss is denied.

John Alvarez testifies.

Defendant's Exhibit 18 is marked for identification and received in evidence.

The witness is excused and remains in the courtroom.

Frank Salman testifies.

On Defendant's own motion,

IT IS FURTHER ORDERED Defendant's exhibit 14 is withdrawn.

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The witness is excused and remains in the courtroom.

Suzanne Salman testifies.

The witness is excused and remains in the courtroom.

Michael Salman testifies.

Defendant rests.

Closing arguments are presented.

Having considered the testimony and evidence presented,

THE COURT FINDS that the Plaintiffs have failed to demonstrate by a preponderance of the evidence that the Defendant committed acts of harassment.

IT IS FURTHER ORDERED dismissing the injunction issued on June 10, 2009, all in accordance with the formal written Order signed by the Court on June 17, 2009 and entered (filed) by the Clerk on June 17, 2009.

LET THE RECORD REFLECT that a copy of the Hearing Order is provided to each party in open court.

LET THE FURTHER RECORD REFLECT that the Hearing Order in this matter is faxed to the Maricopa County Sheriff's Office this date.

Pursuant to the Verdict/ruling entered, and there being no further need to retain the exhibit not offered in evidence in the custody of the Clerk of Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the party causing them to be marked or their written designee. Party or written designee shall have the right to refile relevant exhibits as needed in support of any appeal. Refiled exhibits must be accompanied by a Notice of Refiling Exhibits and presented to the Exhibit Department of the Clerk's Office. The Court's exhibit tag must remain intact on all refiled exhibits.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

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ISSUED: Exhibit Release Form (3).

3:44 p.m. Matter concludes.