

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-090502

08/08/2011

HONORABLE EMMET RONAN

CLERK OF THE COURT
K. Depue
Deputy

PHILLIP M NUCIOLA III, et al.

IVY L KUSHNER

v.

FERREL RASKIN, et al.

STEPHEN C RICH

MATTER UNDER ADVISEMENT

Courtroom 205 – SE

LET THE RECORD REFLECT that the clerk of this division retained the exhibits from the first day of the Hearing held on July 22, 2011, for use at the continuation of the Hearing today.

Prior to commencement of today's proceeding, Plaintiff's exhibits 1 through 23 and Defendant's exhibits 24 through 31 are marked for identification.

1:34 p.m. This is the time set for continued Hearing from July 22, 2011. Counsel, Ivy Kushner, is present on behalf of Plaintiff, Phillip Nuciola III et al., who are present. Counsel, Stephen Rich, is present on behalf of Defendants, Ferrel Raskin, et al. Defendant, Heather Raskin, is present.

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

Discussion is held.

Plaintiff's case continues:

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-090502

08/08/2011

Philip Nuciola, having previously been sworn, testifies further.

Plaintiff's exhibits 8 and 9 are received in evidence.

Plaintiff's exhibit 20 is received in evidence.

Plaintiff's exhibit 15 is received in evidence.

Plaintiff's exhibit 19 is received in evidence.

2:57 p.m. The Court stands at recess.

3:11 p.m. The Court reconvenes with the parties and respective counsel present.

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

Philip Nuciola resumes the stand and testifies further.

Defendant's exhibit 31 is received in evidence.

Heather Raskin, having previously been sworn, testifies.

Plaintiff rests.

Defendant's case:

Defendant's exhibits 32, 33 and 34 are marked for identification and received in evidence.

Defendant rests.

Closing arguments are presented to the Court.

There being no further need to retain the exhibits currently in the custody of the division clerk,

IT IS ORDERED that the Clerk permanently release those exhibits not offered or received in evidence to the counsel/party causing them to be marked, or to a written designee. The parties, or counsel if represented, shall have the right to re-file relevant exhibits as needed in

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-090502

08/08/2011

support of any appeal. Re-filed exhibits must be accompanied by a Notice of Re-filing Exhibits and presented to the Exhibits Room of the Clerk's Office. The Court's exhibit tag must remain intact on all re-filed exhibits.

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

ISSUED: Exhibit Release Form

IT IS FURTHER ORDERED taking this matter under advisement.

4:14 p.m. Matter concludes.

ALERT: eFiling through AZTurboCourt.gov is mandatory in civil cases for attorney-filed documents effective May 1, 2011. See Arizona Supreme Court Administrative Orders 2010-117 and 2011-010. The Court may impose sanctions against counsel to ensure compliance with this requirement after May 1, 2011.