

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

DR 1996-014842

12/09/2003

HONORABLE L. GRANT

CLERK OF THE COURT
N. Northrop
Deputy

IN RE THE MARRIAGE OF
JOHN H WESTBERG

FILED: 12/19/2003

JOSEPHINE "JODIE" CUCCURULLO

AND

KATHLEEN A WESTBERG WINN

RAD L VUCICHEVICH

JUDITH A MORSE
JENNIFER W SHICK
LEAH PALLIN-HILL

MINUTE ENTRY

1:34 p.m. This is the time set for Status Conference. Petitioner/Father is present with counsel, Jodie Cuccurullo. Respondent/Mother is present with counsel, Rad Vucichevich. Judith Morse, Guardian Ad Litem, is present. Jennifer Shick, counsel for the minor child, Barrett, is present.

A digital audio recording of this proceeding is being made by the "For the Record" recording system in lieu of a court reporter.

The Court has received Petitioner's Objection to Dr. Gaughan's Report.

Oral Argument is presented.

IT IS ORDERED affirming the temporary custody orders awarding Mother temporary custody until further order of the Court.

IT IS FURTHER ORDERED appointing Leah Pallin-Hill as the Family Court Advisor in this matter.

IT IS FURTHER ORDERED that effective December 19, 2003, Father shall have parenting time with the parties' two minor children every other weekend from Friday after
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school until Sunday at 7:00 p.m. Father shall also have parenting time with the children every Wednesday evening from after school until 9:00 p.m.

IT IS FURTHER ORDERED, on a temporary basis, terminating Mother's obligation to pay child support until further order of the Court.

IT IS FURTHER ORDERED approving and settling formal written Order Stopping Order of Assignment signed by the Court on December 9, 2003.

IT IS FURTHER ORDERED affirming Judy Morse as the Guardian Ad Litem in this matter until further order of the Court. Father shall continue to be responsible for paying the guardian ad litem's fees.

With respect to the issue of payment of past attorney's fees for the Guardian Ad Litem,

IT IS FURTHER ORDERED holding the issue of payment of the GAL's fees in abeyance. The Court will address the issue of the GAL's attorney's fees at the next hearing.

IT IS FURTHER ORDERED allowing Jennifer Shick to remain in this case as the attorney for the parties' minor child, Barrett Westberg.

IT IS FURTHER ORDERED setting this matter for **Evidentiary Hearing** on Petitioner's Objection to the Family Court Advisor's Report on March 10, 2004, @ 8:45 a.m. before:

JUDGE L. GRANT
Central Court Building
5th Floor, Courtroom 504
201 W. Jefferson, Phoenix, Arizona 85003
(TIME ALLOTTED: 2 hours)

NOTE: All Court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.

Failure of counsel or of any party to appear at the hearing or to comply with the orders below may result in the imposition of any or all available sanctions authorized by Rule 6.2, Local Rules of Superior Court, Maricopa County, including hearing this matter as a default.

IT IS FURTHER ORDERED:

1. The parties shall exchange lists of witnesses, disclosure of the testimony of each witness and exhibits **thirty (30)** days prior to the hearing. At this meeting, the parties and counsel, if any, shall use their best efforts to resolve

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the issues raised in the petition or motion scheduled for hearing. Absent good cause, exhibits not exchanged will not be admitted, witnesses not listed will not testify, and testimony not disclosed will not be admitted.

2. Any objection to the exchanged exhibits shall be filed not later than fifteen (15) days prior to the hearing. Failure to file written objections shall be deemed a waiver of the right to object at the hearing.
3. All discovery shall be completed no later than **fifteen (15)** days prior to the hearing.
4. The parties shall file the following documents **five (5)** days prior to the Evidentiary Hearing:
 - a. A Joint Pre-hearing Statement required by Rule 6.8(b), Local Rules of Superior Court, Maricopa County.
 - b. An Affidavit of Financial Information, if an affidavit has not been filed within the past six (6) months that is substantially accurate at the time of the hearing.
 - c. If either party believes child support is an issue, a Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.
 - d. Any written objections to the admission into evidence of exhibits listed and exchanged by an opposing party. Objections that are not made are waived unless the basis for the objection was not known or could not reasonably have been known by counsel or the party making the objection.
 - e. If spousal maintenance is requested, the party requesting spousal maintenance shall prepare a document listing the amount of spousal maintenance requested, the need for spousal maintenance, including a list of monthly expenses, and the factors under A.R.S. § 25-319 justifying the amount of spousal maintenance. The document shall be provided to the other party no later than five (5) days prior to the date set for hearing.
 - f. If division of debts is at issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly

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payment amount, the reason the debt was incurred and who should pay the debt.

IT IS FURTHER ORDERED that any exhibits to be used at the hearing shall be delivered to the Clerk of this Division **three (3) Court business days prior to the hearing.**

The parties may present to the Court a Stipulation resolving any issues or a stipulated Agreement, with accompanying documents subject to the Court's review for sufficiency, for immediate entry should the entire case be settled.

POSTPONEMENTS AND SCHEDULE CHANGES

Postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

2:31 p.m. Matter concludes.