

SIXTH JUDICIAL DISTRICT-Kanab

KANE COUNTY, STATE OF UTAH

APPEALED: CASE # 20200961

ARTHUR W COCKS et al. vs. SWAINS CREEK PINES LOT OWNERS et al.

CASE NUMBER 170600114 Property Rights

CURRENT ASSIGNED JUDGE

MARVIN D BAGLEY

PARTIES

Plaintiff - JULIE L COCKS

Plaintiff - ARTHUR W COCKS

Represented by: J BRYAN JACKSON

Defendant - SWAINS CREEK PINES LOT OWNERS

Represented by: BRUCE JENKINS

Represented by: KIMBALL FORBES

Represented by: KATHRYN LUSTY

Defendant - CHARLES F COSTA

Represented by: BRUCE JENKINS

Represented by: KIMBALL FORBES

Represented by: ADAM RAVITCH

Defendant - ALAN W ZELHOFER

Represented by: BRUCE JENKINS

Represented by: KIMBALL FORBES

Represented by: ADAM RAVITCH

Defendant - GINA M CHAPMAN

Represented by: BRUCE JENKINS

Represented by: KIMBALL FORBES

Represented by: ADAM RAVITCH

Defendant - JANELLE PEARCE

Represented by: BRUCE JENKINS

Represented by: KIMBALL FORBES

Represented by: ADAM RAVITCH

Defendant - WILLIAM G MOSER

Represented by: BRUCE JENKINS

Represented by: KIMBALL FORBES

Represented by: ADAM RAVITCH

Defendant - JAMES BRADFORD

Represented by: BRUCE JENKINS

Represented by: KIMBALL FORBES

Represented by: ADAM RAVITCH

Defendant - CHERYL CASE

Represented by: BRUCE JENKINS

Represented by: KIMBALL FORBES

Represented by: ADAM RAVITCH

Defendant - ELIZABETH MARIE BAYLEY

Represented by: BRUCE JENKINS

Represented by: KIMBALL FORBES

Represented by: ADAM RAVITCH

ACCOUNT SUMMARY

Total Revenue Amount Due:	686.25
Amount Paid:	686.25
Amount Credit:	0.00
Balance:	0.00
Bail/Cash Bonds Amount Due:	300.00
Amount Paid:	0.00
Amount Credit:	0.00
Balance:	300.00

REVENUE DETAIL - TYPE: COMPLAINT - NO AMT S

Original Amount Due:	360.00
Amended Amount Due:	446.25
Amount Paid:	446.25
Amount Credit:	0.00
Balance:	0.00

Account Adjustments Sum To Date	Amount Reason
2017-11-30	5.25 Emailed copy to John Ducas
2018-06-22	10.00 Copy of Hearing 5 31 18
2020-08-31	11.00 Copy of Cd
2020-01-30	30.00 Cd's
2020-01-31	30.00 Mr Jackson CD's

REVENUE DETAIL - TYPE: APPEAL

Original Amount Due:	240.00
Amended Amount Due:	240.00
Amount Paid:	240.00
Amount Credit:	0.00
Balance:	0.00

NONMONETARY BOND DETAIL - TYPE: Appeals

Posted By: JENKINS BAGLEY	
Posted:	300.00
Forfeited:	0.00
Exonerated:	0.00
Balance:	300.00

CASE NOTE

PROCEEDINGS

11-10-2017 Case filed by efiler
11-10-2017 Filed: Complaint: Verified Complaint

11-13-2017 Judge MARVIN D BAGLEY assigned.
11-13-2017 Fee Account created Total Due: 360.00
11-13-2017 Filed: Return of Electronic Notification
11-13-2017 Filed: Exhibit List for Verified Complaint, Part 1/2
11-13-2017 Filed: Exhibit List for Verified Complaint, Part 2/2
11-13-2017 COMPLAINT - NO AMT S Payment Received: 360.00
11-13-2017 Filed: Return of Electronic Notification
11-13-2017 Filed: Return of Electronic Notification
11-29-2017 Filed: Motion to Amend as a Matter of Course
Filed by: ARTHUR W COCKS
11-29-2017 Filed: Amended Complaint: First Amended Verified Complaint
11-29-2017 Filed: Exhibit List: Exhibits for Amended Complaint
11-29-2017 Filed: Return of Electronic Notification
11-29-2017 Filed: Return of Electronic Notification
11-29-2017 Filed: Return of Electronic Notification
11-30-2017 COMPLAINT - NO AMT S Account Adjustment Total Due: 446.25
Reason: Emailed copy to John Ducas
11-30-2017 COMPLAINT - NO AMT S Payment Received: 5.25
11-30-2017 Filed return: Return of Service for Irene Briggs upon SHARON ROBINSON for
Party Served: SWAINS CREEK PINES LOT OWNERS
Service Type: Personal
Service Date: November 29, 2017
Garnishee:
11-30-2017 Filed return: Summons on Return: Summons Thirty Days upon SHARON ROBINSON for
Party Served: SWAINS CREEK PINES LOT OWNERS
Service Type: Personal
Service Date: November 29, 2017
Garnishee:
11-30-2017 Filed: Return of Electronic Notification
01-16-2018 Filed: Motion to Dismiss and in the Alternative Motion to Extend Time
Filed by: JAMES BRADFORD
01-16-2018 Filed: Return of Electronic Notification
01-17-2018 Filed: Certificate of Service (Motion to Dismiss and in the Alternative Motion to Extend Time)
01-17-2018 Filed: Return of Electronic Notification
02-06-2018 Filed: Affidavit/Declaration: Affidavit in Support of Plaintiffs Objection to Defendants Motion to Dismiss and Response to Alternative Motion to Extend Time
02-06-2018 Filed: Memorandum in Support of Plaintiffs Objection to Defendants Motion to Dismiss and Response the Alternative Motion to Extend Time
02-06-2018 Filed: Objection to Defendants Motion to Dismiss and Response to Alternative Motion to Extend Time
02-06-2018 Filed: Return of Electronic Notification
02-13-2018 Filed: Reply Memorandum Supporting Motion to Dismiss and in the Alternative Motion to Extend Time
02-13-2018 Filed: Return of Electronic Notification
02-16-2018 Filed: Request/Notice to Submit for Decision (Motion to Dismiss and in the Alternative Motion to Extend Time) (Hearing Requested)
02-16-2018 Filed: Return of Electronic Notification
02-16-2018 Filed: Request/Notice to Submit: Notice to Submit or for Oral Argument

02-16-2018 Filed: Return of Electronic Notification
02-21-2018 NOTICE for Case 170600114 ID 18923327
Judge: MARVIN D BAGLEY
MOTION TO DISMISS is scheduled.
Date: 03/08/2018
Time: 01:00 p.m.
Before Judge: MARVIN D BAGLEY

02-21-2018 MOTION TO DISMISS scheduled on March 08, 2018 at 01:00 PM with
Judge MARVIN D BAGLEY

02-21-2018 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY

02-26-2018 Filed: Motion to Appear Telephonically at the March 8, 2018
Hearing
Filed by: JAMES BRADFORD

02-26-2018 Filed: Order (Proposed) Granting Motion to Appear
Telephonically at the March 8, 2018 Hearing

02-26-2018 Filed: Return of Electronic Notification

02-26-2018 Filed: Return of Electronic Notification

02-26-2018 Filed: Request/Notice to Submit for Decision (Motion to Appear
Telephonically at the March 8, 2018 Hearing)

02-26-2018 Filed: Return of Electronic Notification

02-27-2018 Filed order: Order Granting Motion to Appear Telephonically at
the March 8, 2018 Hearing
Judge MARVIN D BAGLEY
Signed February 27, 2018

02-27-2018 Filed: Return of Electronic Notification

03-05-2018 Note: MOTION TO DISMISS calendar modified.

03-08-2018 Minute Entry - MOTION TO DISMISS
Judge: MARVIN D BAGLEY
Clerk: hollyr
PRESENT
Plaintiff's Attorney(s): J BRYAN JACKSON
Defendant's Attorney(s): BRUCE C JENKINS
Audio
Tape Count: 106-118
Mr Jenkins is appearing by phone. Argument is given by
both counsel. The motion to dismiss is denied. Mr Jackson
may amend the complaint and Mr Jenkins has time to answer.
If the complaint is not amended, the case will be
dismissed. Mr Jackson will
prepare the order for the hearing today.

03-23-2018 Filed: Amended Complaint: Second Amended Complaint

03-23-2018 Filed: Exhibit List: Exhibits for Second Amended Complaint, A-
D

03-23-2018 Filed: Exhibit List: Exhibits for Second Amended Complaint, E-
L

03-23-2018 Filed: Return of Electronic Notification

03-23-2018 Filed: Return of Electronic Notification

04-09-2018 Filed: Motion to Dismiss and in the Alternative Motion to
Extend Time (Hearing Requested)
Filed by: JAMES BRADFORD

04-09-2018 Filed: Answer to Second Amended Complaint
Answer Party: SWAINS CREEK PINES LOT OWNERS

04-09-2018 Note: Certificate of Readiness for Trial due 01/22/2019

04-09-2018 Filed: NOTICE OF EVENT DUE DATES

04-09-2018 Filed: Return of Electronic Notification

04-09-2018 Filed: Return of Electronic Notification
04-09-2018 Filed return: Acceptance of Service (Second Amended Complaint)
Party Served: BRUCE C. JENKINS ACCEPTED SERVICE ON BEH
Service Type:
Service Date: April 09, 2018
Garnishee:
04-09-2018 Filed: Return of Electronic Notification
04-30-2018 Filed: Objection to: Response and Objection to Defendants
Second Motion to Dismiss and in the Alternative Motion to
Extend Time (Hearing Requested)
04-30-2018 Filed: Return of Electronic Notification
04-30-2018 Filed: Memorandum in Support of Plaintiffs Response and
Objection to Defendants Second Motion to Dismiss and in the
Alternative to Extend Time (Hearing Requested)
04-30-2018 Filed: Return of Electronic Notification
05-14-2018 Filed: Reply Memorandum Supporting Motion to Dismiss and in the
Alternative Motion to Extend Time
05-14-2018 Filed: Return of Electronic Notification
05-15-2018 Filed: Request/Notice to Submit for Decision (Motion to Dismiss
and in the Alternative Motion to Extend Time) (Hearing
Requested)
05-15-2018 Filed: Return of Electronic Notification
05-16-2018 MOTION TO DISMISS scheduled on May 31, 2018 at 11:00 AM with
Judge MARVIN D BAGLEY
05-16-2018 NOTICE for Case 170600114 ID 19136379
Judge: MARVIN D BAGLEY
MOTION TO DISMISS is scheduled.
Date: 05/31/2018
Time: 11:00 a.m.
Before Judge: MARVIN D BAGLEY
05-16-2018 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY
05-21-2018 Filed: Certificate of Service (Defendants Rule 26(a) Initial
Disclosures)
05-21-2018 Filed: Return of Electronic Notification
05-30-2018 MOTION TO DISMISS rescheduled on May 31, 2018 at 11:04 AM
05-31-2018 Minute Entry - MOTION TO DISMISS
Judge: MARVIN D BAGLEY
Clerk: hollyr
PRESENT
Plaintiff's Attorney(s): J BRYAN JACKSON
Defendant's Attorney(s): JAMES C PURCELL
Audio
Tape Count: 1119-1214
Argument is presented from both counsel. The motion to
dismiss is denied. Mr Jackson will prepare the order for
the hearing today.
06-14-2018 Filed: Answer Defendants Answer to Second Amended Complaint
Answer Party: SWAINS CREEK PINES LOT OWNERS
Answer Party: CHARLES F COSTA
Answer Party: ALAN W ZELLHOEFER
Answer Party: GINA M CHAPMAN
Answer Party: JANELLE PEARCE
Answer Party: WILLIAM G MOSER
Answer Party: JAMES BRADFORD
Answer Party: ELIZABETH MARIE BAYLEY

Answer Party: CHERYL CASE

06-14-2018 Filed: Return of Electronic Notification
06-22-2018 COMPLAINT - NO AMT S Account Adjustment Total Due: 446.25
06-22-2018 COMPLAINT - NO AMT S Payment Received: 10.00
07-11-2018 Filed: Certificate of Service (Defendants First Set of Requests for Admissions and Requests for Production of Documents)
07-11-2018 Filed: Return of Electronic Notification
07-31-2018 Filed: Order (Proposed) on Defendants Second Motion to Dismiss and to Extend Time
07-31-2018 Filed: Return of Electronic Notification
08-03-2018 Filed order: Order on Defendants Second Motion to Dismiss and to Extend Time

Judge MARVIN D BAGLEY

Signed August 03, 2018

08-03-2018 Filed: Return of Electronic Notification
08-08-2018 Filed: : Plaintiffs Answer in Response to Defendants First Set of Request for Admissions and Request for Production of Documents
08-08-2018 Filed: : Plaintiffs Rule 26(a)(1) Initial Disclosures
08-08-2018 Filed: Exhibit List: Exhibits for Plaintiffs Initial Disclosures 1/4
08-08-2018 Filed: Return of Electronic Notification
08-08-2018 Filed: Return of Electronic Notification
08-08-2018 Filed: Exhibit List: Exhibits for Plaintiffs Initial Disclosures 2/4
08-08-2018 Filed: Return of Electronic Notification
08-08-2018 Filed: Exhibit List: Exhibits for Plaintiffs Initial Disclosures 3/4
08-08-2018 Filed: Exhibit List: Exhibits for Plaintiffs Initial Disclosures 4/4
08-08-2018 Filed: Return of Electronic Notification
08-08-2018 Filed: Return of Electronic Notification
08-09-2018 Filed: Notice of Depositions (Arthur W. Cocks and Julie L. Cocks)
08-09-2018 Filed: Return of Electronic Notification
08-15-2018 Filed: Amended Notice of Depositions (Arthur W. Cocks and Julie L. Cocks)
08-15-2018 Filed: Return of Electronic Notification
09-05-2018 Filed: Certificate of Service (Defendants First Supplement to Rule 26(a) Initial Disclosures)
09-05-2018 Filed: Return of Electronic Notification
09-18-2018 Filed: Certificate of Service (Defendants Second Supplement to Rule 26(a) Initial Disclosures)
09-18-2018 Filed: Return of Electronic Notification
09-19-2018 Filed: Order (Proposed): Stipulated Order for Tier Designation and Scheduling
09-19-2018 Filed: Return of Electronic Notification
09-24-2018 Filed order: Order: Stipulated Order for Tier Designation and Scheduling

Judge MARVIN D BAGLEY

Signed September 24, 2018

09-24-2018 Filed: Return of Electronic Notification
10-09-2018 Filed: Certificate of Service (Defendants Second Set of Discovery Requests)
10-09-2018 Filed: Return of Electronic Notification
10-19-2018 Filed: : Certificate of Mailing and Emailing

10-19-2018 Filed: Return of Electronic Notification
11-06-2018 Filed: : Certificate of Emailing
11-06-2018 Filed: Return of Electronic Notification
11-15-2018 Filed: : Notice of Depositions
11-15-2018 Filed: Return of Electronic Notification
11-16-2018 Filed: : Certificate of Emailing of Supplemental Disclosures
11-16-2018 Filed: Return of Electronic Notification
11-16-2018 Filed: Stipulation to Extend Discovery Deadlines
11-16-2018 Filed: Return of Electronic Notification
11-16-2018 Filed: Certificate of Service (Defendants Response to Plaintiffs First Set of Interrogatories, Production of Documents and Requests for Admissions)
11-16-2018 Filed: Certificate of Service (Defendants Third Supplement to Rule 26(a) Initial Disclosures)
11-16-2018 Filed: Return of Electronic Notification
11-30-2018 Filed: Notice of Issuance of Subpoenas Duces Tecum
11-30-2018 Filed: Return of Electronic Notification
12-14-2018 Filed: Certificate of Service (Defendants Privilege and Confidentiality Log)
12-14-2018 Filed: Return of Electronic Notification
12-18-2018 Filed: Stipulation to Extend Discovery Deadlines
12-18-2018 Filed: Return of Electronic Notification
12-26-2018 Filed: Affidavit/Declaration of Compliance with Subpoena
01-08-2019 Filed: : Certificate of Emailing
01-08-2019 Filed: Return of Electronic Notification
01-10-2019 Filed: Certificate of Service (Defendants Third Set of Discovery Requests)
01-10-2019 Filed: Return of Electronic Notification
01-14-2019 Filed: Affidavit/Declaration of Compliance with Subpoena(Harrison)
02-06-2019 Filed: Stipulation to Extend Discovery Deadlines
02-06-2019 Filed: Return of Electronic Notification
02-14-2019 Filed: Certificate of Service (Defendants Fourth Supplement to Rule 26(a) Initial Disclosures)
02-14-2019 Filed: Return of Electronic Notification
02-20-2019 Filed: : Certificate of Emailing of Plaintiffs Response to Defendants Third Set of Discovery Requests
02-20-2019 Filed: Return of Electronic Notification
02-28-2019 Filed: Notice of Deposition (Charles Patricia Martin)
02-28-2019 Filed: Notice of Deposition (Virginia Valcourt)
02-28-2019 Filed: Return of Electronic Notification
03-01-2019 Filed: Notice of Cancellation of Deposition (Virginia Valcourt)
03-01-2019 Filed: Return of Electronic Notification
03-11-2019 Filed: Stipulation to Extend Discovery Deadlines
03-11-2019 Filed: Return of Electronic Notification
04-03-2019 Filed: Motion for Summary Judgment (Plaintiffs Third Cause of Action - Breach of Implied Covenant of Good Faith and Fair Dealing)
Filed by: JAMES BRADFORD
04-03-2019 Filed: Return of Electronic Notification
04-05-2019 Filed: Certificate of Service (Defendants Fifth Supplement to Rule 26(a) Initial Disclosures)
04-05-2019 Filed: Return of Electronic Notification
04-08-2019 Filed: : Certificate of Emailing of Supplemental Disclosures
04-08-2019 Filed: Return of Electronic Notification

04-15-2019 Filed: Certificate of Service (Defendants Expert Disclosures and Designations)

04-15-2019 Filed: Return of Electronic Notification

04-19-2019 Filed: Objection to: Objection and Response to Defendants Motion for Summary Judgment on Third Cause of Action, Breach of Implied Covenant of Good Faith and Fair Dealing

04-19-2019 Filed: Return of Electronic Notification

04-19-2019 Filed: Affidavit/Declaration: Affidavit in Support of Plaintiffs Objection and Response to Defendants Motion for Summary Judgment on Third Cause of Action, Breach of Implied Covenant of Good Faith and Fair Dealing

04-19-2019 Filed: Memorandum in Support of Plaintiffs Objection and Response to Defendants Motion for Summary Judgment on Third Cause of Action, Breach of Implied Covenant of Good Faith and Fair Dealing

04-19-2019 Filed: Return of Electronic Notification

04-22-2019 Filed: Notice of Election of Deposition of Plaintiffs Expert Witness (Michael Kenner)

04-22-2019 Filed: Return of Electronic Notification

04-30-2019 Filed: Motion for Leave to File Overlength Reply Memorandum Supporting Motion for Summary Judgment (Plaintiffs Third Cause of Action - Breach of Implied Covenant of Good Faith and Fair Dealing)

Filed by: JAMES BRADFORD

04-30-2019 Filed: Order (Proposed) Granting Motion Leave to File Overlength Reply Memorandum Supporting Motion for Summary Judgment (Plaintiffs Third Cause of Action - Breach of Implied Covenant of Good Faith and Fair Dealing)

04-30-2019 Filed: Request/Notice to Submit for Decision (Motion for Leave to File Overlength Reply Memorandum Supporting Motion for Summary Judgment (Plaintiffs Third Cause of Action - Breach of Implied Covenant of Good Faith and Fair Dealing))

04-30-2019 Filed: Return of Electronic Notification

04-30-2019 Filed: Reply Memorandum Supporting Motion for Summary Judgment (Plaintiffs Third Cause of Action - Breach of Implied Covenant of Good Faith and Fair Dealing) (Hearing Requested)

04-30-2019 Filed: Return of Electronic Notification

05-09-2021 Filed order: Order Granting Motion Leave to File Overlength Reply Memorandum Supporting Motion for Summary Judgment (Plaintiffs Third Cause of Action - Breach of Implied Covenant of Good Faith and Fair Dealing)

Judge MARVIN D BAGLEY
Signed May 03, 2019

05-03-2019 Filed: Return of Electronic Notification

05-07-2019 Filed: Notice of Expert Deposition (Michael Kenner)

05-07-2019 Filed: Return of Electronic Notification

05-08-2019 Filed: Request/Notice to Submit for Decision (Motion for Summary Judgment (Plaintiffs Third Cause of Action - Breach of Implied Covenant of Good Faith and Fair Dealing))

05-08-2019 Filed: Return of Electronic Notification

05-14-2019 Filed return: Acceptance of Service (Amended Subpoena to Appear and Testify at Expert Deposition - Michael Kenner)

Party Served: MICHAEL KENNER SIGNED AN ACCEPTANCE OF S
Service Type:
Service Date: May 14, 2019
Garnishee:

05-14-2019 Filed: Amended Notice of Deposition (Michael Kenner)

05-14-2019 Filed: Return of Electronic Notification

05-22-2019 SCHEDULING CONFERENCE PHONE scheduled on May 30, 2019 at 11:00 AM with Judge MARVIN D BAGLEY

05-22-2019 NOTICE for Case 170600114 ID 20043804
Judge: MARVIN D BAGLEY
SCHEDULING CONFERENCE is scheduled.
Date: 05/30/2019
Time: 11:00 a.m.
Before Judge: MARVIN D BAGLEY

05-22-2019 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY

05-28-2019 Filed: Motion Defendants Motion to Appear Telephonically at the May 30, 2019 Scheduling Conference
Filed by: JAMES BRADFORD

05-28-2019 Filed: Order (Proposed) Granting Defendants Motion to Appear Telephonically at the May 30, 2019 Scheduling Conference

05-28-2019 Filed: Request/Notice to Submit for Decision (Defendants Motion to Appear Telephonically at the May 30, 2019 Scheduling Conference)

05-28-2019 Filed: Return of Electronic Notification

05-28-2019 Filed order: Order Granting Defendants Motion to Appear Telephonically at the May 30, 2019 Scheduling Conference
Judge MARVIN D BAGLEY
Signed May 28, 2019

05-28-2019 Filed: Return of Electronic Notification

05-29-2019 Note: SCHEDULING CONFERENCE PHONE calendar modified.

05-30-2019 SCHEDULING CONF BY PHONE scheduled on June 27, 2019 at 11:00 AM with Judge MARVIN D BAGLEY

05-30-2019 Minute Entry - SCHEDULING CONFERENCE
Judge: MARVIN D BAGLEY
Clerk: hollyr
TELEPHONE CONFERENCE
PRESENT
Plaintiff's Attorney(s): J BRYAN JACKSON
Defendant's Attorney(s): JAMES C PURCELL
Audio
Tape Count: 1109-1112
The parties would like to see if this won't settle within 30 days prior to scheduling a trial. A telephonic scheduling conference is set for June 27, 2019, at 11:00 AM.
SCHEDULING CONF BY PHONE is scheduled.
Date: 06/27/2019
Time: 11:00 a.m.
before Judge MARVIN D BAGLEY

06-03-2019 NOTICE for Case 170600114 ID 20068180
Judge: MARVIN D BAGLEY
SCHEDULING CONF BY PHONE is scheduled.
Date: 06/27/2019
Time: 11:00 a.m.
before Judge MARVIN D BAGLEY

06-03-2019 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY

06-20-2019 Filed: Motion Defendants Motion to Appear Telephonically at the June 27, 2019 Scheduling Conference
Filed by: JAMES BRADFORD

06-20-2019 Filed: Order (Proposed) Granting Defendants Motion to Appear Telephonically at the June 27, 2019 Scheduling Conference

06-20-2019 Filed: Request/Notice to Submit for Decision (Defendants Motion to Appear Telephonically at the June 27, 2019 Scheduling Conference)

06-20-2019 Filed: Return of Electronic Notification
06-21-2019 Filed order: Order Granting Defendants Motion to Appear
Telephonically at the June 27, 2019 Scheduling Conference
Judge MARVIN D BAGLEY
Signed June 21, 2019
06-21-2019 Filed: Return of Electronic Notification
06-21-2019 Filed: Motion for Summary Judgment (Plaintiffs First Cause of
Action - Declaratory Judgment - Based upon Bell Canyon Acres
Homeowners Association v. McLelland)
Filed by: JAMES BRADFORD
06-21-2019 Filed: Return of Electronic Notification
06-21-2019 Filed: Motion for Summary Judgment (Plaintiffs First Cause of
Action - Declaratory Relief - Based Upon Plain Language of
CCRs)
Filed by: JAMES BRADFORD
06-21-2019 Filed: Return of Electronic Notification
06-25-2019 Note: SCHEDULING CONF BY PHONE calendar modified.
06-27-2019 ORAL ARGUMENT scheduled on August 22, 2019 at 01:30 PM with
Judge MARVIN D BAGLEY
06-27-2019 Minute Entry - SCHEDULING CONFERENCE
Judge: MARVIN D BAGLEY
Clerk: hollyr
TELEPHONE CONFERENCE
PRESENT
Plaintiff's Attorney(s): J BRYAN JACKSON
Defendant's Attorney(s): JAMES PURCELL
Audio
Tape Count: 1107-1206
Mr Jackson nees some additional time to prepare a new
summary judgment. Argue will be heard on August 22, 2019,
at 1:30 PM.
ORAL ARGUMENT is scheduled.
Date: 08/22/2019
Time: 01:30 p.m.
before Judge MARVIN D BAGLEY
07-01-2019 NOTICE for Case 170600114 ID 20143005
Judge: MARVIN D BAGLEY
ORAL ARGUMENT is scheduled.
Date: 08/22/2019
Time: 01:30 p.m.
before Judge MARVIN D BAGLEY
07-01-2019 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY
07-10-2019 Filed: Motion Stipulated Motion to Extend Deadlines
Filed by: JAMES BRADFORD
07-10-2019 Filed: Order (Proposed) Granting Stipulated Motion to Extend
Deadlines
07-10-2019 Filed: Request/Notice to Submit for Decision (Stipulated Motion
to Extend Deadlines)
07-10-2019 Filed: Return of Electronic Notification
07-12-2019 Filed order: Order Granting Stipulated Motion to Extend
Deadlines
Judge MARVIN D BAGLEY
Signed July 12, 2019
07-12-2019 Filed: Return of Electronic Notification

07-23-2019 Filed: Affidavit/Declaration: Affidavitin Support of Plaintiffs Response and Objection to Defendants Motion for Summary Judgment Regarding Plaintiffs First Cause of Action, Declaratory Judgment, Based on Bell Canyon Acres Homeowners Association v McLelland

07-23-2019 Filed: Memorandum in Support of Plaintiffs Response and Objection to Defendants Motion for Summary Judgment Regarding Plaintiffs First Cause of Action, Declaratory Judgment, Based on Bell Canyon Acres Homeowners Association v McLelland

07-23-2019 Filed: Objection to: Response and Objection to Defendants Motion for Summary Judgment Regarding Plaintiffs First Cause of Action, Declaratory Judgment, Based on Bell Canyon Acres Homeowners Association v McLelland

07-23-2019 Filed: Return of Electronic Notification

07-23-2019 Filed: Affidavit/Declaration: Affidavitin Support of Plaintiffs Objection and Response to Defendants Motion for Summary Judgment Based Upon Plain Language of CCRS

07-23-2019 Filed: Memorandum in Support of Plaintiffs Objection and Response to Defendants Motion for Summary Judgment Based Upon Plain Language of CCRS

07-23-2019 Filed: Objection to: Objection and Response to Defendants Motion for Summary Judgment Based Upon Plain Language of CCRS

07-23-2019 Filed: Return of Electronic Notification

07-31-2019 Note: Modified Discovery date for Cert. of Readiness 10/7/2019

08-12-2019 Filed: Reply Memorandum Supporting Motion for Summary Judgment (Plaintiffs First Cause of Action - Declaratory Judgment - Based upon Bell Canyon Acres Homeowners Association v. McLelland)

08-12-2019 Filed: Return of Electronic Notification

08-12-2019 Filed: Reply Memorandum Supporting Motion for Summary Judgment (Plaintiffs First Cause of Action - Declaratory Judgment - Based Upon Plain Language of CCRs)

08-12-2019 Filed: Return of Electronic Notification

08-20-2019 Note: ORAL ARGUMENT calendar modified.

08-22-2019 Minute Entry - ORAL ARGUMENT
Judge: MARVIN D BAGLEY
Clerk: hollyr.
PRESENT
Plaintiff(s): ARTHUR W COCKS
Plaintiff's Attorney(s): J BRYAN JACKSON
Defendant's Attorney(s): JAMES PURCELL
Audio
Tape Count: 131-234
Mr Purcell states the three pending motions, with argument. Mr Jackson follows with argument. Mr Purcell has the final say. The Court suggests resolution. The matter is taken under advisement.

10-07-2019 Filed: Certificate of Readiness for Trial

10-07-2019 Filed: Return of Electronic Notification

10-08-2019 SCHEDULING CONFERENCE scheduled on October 17, 2019 at 11:00 AM with Judge MARVIN D BAGLEY

10-08-2019 NOTICE for Case 170600114 ID 20390451
Judge: MARVIN D BAGLEY
SCHEDULING CONFERENCE is scheduled.
Date: 10/17/2019
Time: 11:00 a.m.
Before Judge: MARVIN D BAGLEY

10-08-2019 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY

10-10-2019 SCHEDULING CONFERENCE PHONE scheduled on October 17, 2019 at 11:00 AM with Judge MARVIN D BAGLEY

10-10-2019 SCHEDULING CONFERENCE Modified
Reason:

10-11-2019 Filed order: Order on Defendants' Motions for Summary Judgment on Plaintiffs' Third Cause of Action etc
Judge MARVIN D BAGLEY
Signed October 10, 2019

10-14-2019 Filed: Motion Defendants Motion to Appear Telephonically at the October 17, 2019 Scheduling Conference
Filed by: JAMES BRADFORD

10-14-2019 Filed: Order (Proposed) Granting Defendants Motion to Appear Telephonically at the October 17, 2019 Scheduling Conference

10-14-2019 Filed: Request/Notice to Submit for Decision (Defendants Motion to Appear Telephonically at the October 17, 2019 Scheduling Conference)

10-14-2019 Filed: Return of Electronic Notification

10-15-2019 Filed order: Order Granting Defendants Motion to Appear Telephonically at the October 17, 2019 Scheduling Conference
Judge MARVIN D BAGLEY
Signed October 15, 2019

10-15-2019 Filed: Return of Electronic Notification

10-16-2019 Note: SCHEDULING CONFERENCE PHONE calendar modified.

10-17-2019 Minute Entry - SCHEDULING CONFERENCE
Judge: MARVIN D BAGLEY
Clerk: hollyr
TELEPHONE CONFERENCE

PRESENT

Plaintiff(s): ARTHUR W COCKS
Plaintiff's Attorney(s): J BRYAN JACKSON
Defendant's Attorney(s): JAMES PURCELL

Audio

Tape Count: 1102-1115

Parties are ordered to mediate by November 27, 2019. A bench trial is scheduled for January 24, 27-29, 2020, at 9:00 AM. A pre-trial is set for January 9, 2020, at 11:00 AM. Motion cut off is December 13th. Disclosure cut off is December 2nd. Motion

in limine is due December 6th. Counsel will confer if findings are necessary. Mr Jackson would prepare the order for findings.

PRETRIAL CONFERENCE is scheduled.

Date: 01/09/2020

Time: 11:00 a.m.

before Judge MARVIN D BAGLEY

TRIAL-BENCH is scheduled.

Date:

Date:

Date:

Date: 01/24/2020

Time: 09:00 a.m.

before Judge MARVIN D BAGLEY

Date: 01/27/2020

Time: 09:00 a.m.

before Judge MARVIN D BAGLEY

Date: 01/28/2020

Time: 09:00 a.m.
before Judge MARVIN D BAGLEY
Date: 01/29/2020
Time: 09:00 a.m.
before Judge MARVIN D BAGLEY

10-17-2019 PRETRIAL CONFERENCE scheduled on January 09, 2020 at 11:00 AM
with Judge MARVIN D BAGLEY

10-17-2019 NOTICE for Case 170600114 ID 20415200

Judge: MARVIN D BAGLEY
PRETRIAL CONFERENCE is scheduled.

Date: 01/09/2020

Time: 11:00 a.m.

before Judge MARVIN D BAGLEY

TRIAL-BENCH is scheduled.

Date: 01/24/2020

Time: 09:00 a.m.

before Judge MARVIN D BAGLEY

Date: 01/27/2020

Time: 09:00 a.m.

before Judge MARVIN D BAGLEY

Date: 01/28/2020

Time: 09:00 a.m.

before Judge MARVIN D BAGLEY

Date: 01/29/2020

Time: 09:00 a.m.

before Judge MARVIN D BAGLEY

10-17-2019 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY

10-17-2019 TRIAL-BENCH scheduled on January 24, 2020 at 09:00 AM with
Judge MARVIN D BAGLEY

10-17-2019 TRIAL-BENCH scheduled on January 27, 2020 at 09:00 AM with
Judge MARVIN D BAGLEY

10-17-2019 TRIAL-BENCH scheduled on January 28, 2020 at 09:00 AM with
Judge MARVIN D BAGLEY

10-17-2019 TRIAL-BENCH scheduled on January 29, 2020 at 09:00 AM with
Judge MARVIN D BAGLEY

10-17-2019 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY

11-13-2019 Filed: Notice of Mediation

11-13-2019 Filed: Return of Electronic Notification

11-14-2019 Filed: Amended Notice of Mediation

11-14-2019 Filed: Return of Electronic Notification

11-25-2019 Filed: Notice of Failed Mediation

11-25-2019 Filed: Return of Electronic Notification

12-02-2019 Filed: Notice of Withdrawal of Counsel (James C. Purcell)

12-02-2019 Filed: Return of Electronic Notification

12-02-2019 Filed: Defendants Pretrial Disclosures of Witnesses and
Exhibits

12-02-2019 Filed: Return of Electronic Notification

12-05-2019 Filed: Motion in Limine

Filed by: JAMES BRADFORD

12-05-2019 Filed: Return of Electronic Notification

12-11-2019 Filed: Appearance of Counsel/Notice of Limited Appearance
Notice of Appearance of Counsel (Kimball A. Forbes)

12-11-2019 Filed: Exhibits 1-4 to Motion for Summary Judgment (Director
Liability)

12-11-2019 Filed: Motion for Summary Judgment (Director Liability)
Filed by: JAMES BRADFORD

12-11-2019 Filed: Return of Electronic Notification

12-20-2019 Filed: : Certificate of Emailing of Plaintiffs Pretrial Disclosures

12-20-2019 Filed: Return of Electronic Notification

12-23-2019 Filed: Affidavit/Declaration: Affidavit in Support of Plaintiffs Objection and Response to Defendants Motion in Limine

12-23-2019 Filed: Memorandum in Support of Plaintiffs Objection and Response to Defendants Motion in Limine

12-23-2019 Filed: Objection to: Objection and Response to Defendants Motion in Limine

12-23-2019 Filed: Return of Electronic Notification

12-30-2019 Filed: Reply Memorandum Supporting Motion in Limine

12-30-2019 Filed: Request/Notice to Submit for Decision (Motion in Limine)

12-30-2019 Filed: Return of Electronic Notification

12-31-2019 Filed: Affidavit/Declaration: Affidavit in Support of Objection and Response to Defendants Motion for Summary Judgment (Director Liability)

12-31-2019 Filed: Memorandum in Support of Plaintiffs Objection and Response to Defendants Motion for Summary Judgment (Director Liability)

12-31-2019 Filed: Objection to: Objection and Response to Defendants Motion for Summary Judgment (Director Liability)

12-31-2019 Filed: Return of Electronic Notification

01-02-2020 Filed: Appearance of Counsel/Notice of Limited Appearance Notice of Appearance of Counsel (Adam J. Ravitch)

01-02-2020 Filed: Return of Electronic Notification

01-07-2020 Filed: Reply Memorandum Supporting Motion for Summary Judgment (Director Liability)

01-07-2020 Filed: Request/Notice to Submit for Decision (Motion for Summary Judgment (Director Liability))

01-07-2020 Filed: Return of Electronic Notification

01-08-2020 PRETRIAL CONFERENCE PHONE rescheduled on January 09, 2020 at 11:01 AM

01-09-2020 Minute Entry - PRE TRIAL CONFERENCE
Judge: MARVIN D BAGLEY
Clerk: hollyr
PRESENT
Plaintiff's Attorney(s): J BRYAN JACKSON
Defendant's Attorney(s): BRUCE JENKINS
Audio
Tape Count: 1155-1227
Mr Jenkins is first to argue the motion in limine. 1217
The motion in limine is denied. The up coming trial is discussed. It will start on January 24, 2020 and continued on the following Monday. Mr Jenkins will prepare the order for the hearing
today.

01-17-2020 Filed: Objection to Subpoena

01-17-2020 Filed: Return of Electronic Notification

01-21-2020 Filed: Trial Brief

01-21-2020 Filed: Return of Electronic Notification

01-23-2020 Filed: Order (Proposed) Denying Defendants Motion in Limine

01-23-2020 Filed: Order (Proposed) Granting Defendants Motion for Summary Judgment (Director Liability)

01-23-2020 Filed: Return of Electronic Notification
01-23-2020 Filed: Defendants Amended Pretrial Disclosures of Witnesses and Exhibits
01-23-2020 Filed: Return of Electronic Notification
01-23-2020 Filed order: Order Denying Defendants Motion in Limine
Judge MARVIN D BAGLEY
Signed January 23, 2020
01-23-2020 Filed order: Order Granting Defendants Motion for Summary Judgment (Director Liability)
Judge MARVIN D BAGLEY
Signed January 23, 2020
01-23-2020 Filed: Return of Electronic Notification
01-23-2020 Filed: Return of Electronic Notification
01-24-2020 Minute Entry - BENCH TRIAL
Judge: MARVIN D BAGLEY
Clerk: hollyr

PRESENT

Plaintiff's Attorney(s): J BRYAN JACKSON

Defendant's Attorney(s): BRUCE JENKINS

Audio

Tape Count: 912-426

HEARING

912 Judge Bagley has counsel try to settle this one more time. They came back at 919 with no settlement.

1022 Mr Jackson gives an opening statement.

1029 Mr Jernkins gives his opening statement.

1036 Witnesses are excluded. Anyone listening to the trial is also instructed not to talk about the case until there is a final decision. Both parties have exhibits books that have been stipulated too. All the exhibits are admitted unless there is a certain one objected to.

1043 Mr Jenkins dan Keith Christensen for testimony. He steps down at 1142.

1143 Dan Theisen is next to testify. He is called by Mr Jenkins. He steps down at 1226.

A lunch recess is taken.

130 Court is back in sessions. Mr Jenkins has two witnesses appearing by phone. The first witness is Dianah Hood. (203) The next witness is Pamela Szemanski. She finishes at 230.

Mr Jackson calls Todd Call for testimony. He steps down at 259.

Ms Sandra Call is next to testify. She is called by Mr Jackson. Her testimony is finished at 329.

Back in session after a break 344.

Mr Jackson calls Patricia Martin. She finishes at 417.

A recess is taken to decide if Plaintiffs want to call another witness today.

434 Court is back in session. Another witness will not be called today. Court will start back on Monday morning, January 27th, at 9:00 am.

426

01-27-2020 Minute Entry - BENCH TRIAL

Judge: MARVIN D BAGLEY

Clerk: hollyr

PRESENT

Plaintiff(s): ARTHUR W COCKS

Plaintiff's Attorney(s): J BRYAN JACKSON

Defendant's Attorney(s): BRUCE JENKINS

Audio

Tape Count: 903-430

HEARING

Court again is in session.

905 Mr Jackson calls his first witness, Holly Hunter, to testify. She finishes her testimony at 938.

938 Mr Jackson calls Jerry Harrison to testify. He is finished at 948.

Mr Jackson calls his client, Arthur Cocks, for testimony. A lunch break is taken at 1213-117.

Court is back in session with Mr Cocks still on the stand. He finishes testimony at 229.

Plaintiff rests.

Mr Jenkins calls Kathleen Cox for testimony. She is finished at 301.

Mr Jenkins now calls Cheryl Case. She steps down at 417.

David Pugh is next called by Mr Jenkins. He finishes at 426.

Court will begin at 9:00 AM tomorrow morning.

01-28-2020 Minute Entry - BENCH TRIAL

Judge: MARVIN D BAGLEY

Clerk: hollyr

PRESENT

Plaintiff's Attorney(s): J BRYAN JACKSON

Defendant's Attorney(s): BRUCE JENKINS

Audio

Tape Count: 900-320

HEARING

900 Court is again in session.

Mr Jenkins calls Christopher Dahlin for testimony. He finishes at 926.

Next, Mr Jenkins calls John Richards. His testimony is done at 1015.

Gina Chapman is called by Mr Jenkins. A new packet of documents, that Ms Chapman created, is admitted.

A recess is taken from 1100-116. The witness is again on the stand, and still under oath. She finishes her testimony at 1153.

Mr Jenkins calls Alan Zellhoefer for testimony. He steps down at 1209.

A break for lunch is taken.

114 Court is back in session. Mr Jenkins calls Ted Long. His testimony is complete at 140.

Mr Jenkins next calls Jenelle Pearce. She finishes at 217. She is the final witness. Mr Jenkins rests.

A recess is taken. Mr Jackson will recall his client, Mr Cocks, after the recess.

313 Back in session. Counsel has been in chambers with the judge. Mr Cocks is now on the stand again. He finishes at 316.

Counsel will prepare findings as each side sees it. The Court may use one or combine them. Arguments will be presented in the findings. Patties will submit briefs on February 28, 2020.

End 320

01-30-2020 COMPLAINT - NO AMT S Account Adjustment Total Due: 446.25
Reason: Cd's

01-30-2020 COMPLAINT - NO AMT S Payment Received: 30.00

01-31-2020 COMPLAINT - NO AMT S Account Adjustment Total Due: 446.25

02-10-2020 COMPLAINT - NO AMT S Payment Received: 30.00

02-28-2020 Filed: Findings of Fact/Conclusions of Law (Proposed) Findings of Fact, Conclusions of Law, and Judgment

02-28-2020 Filed: Return of Electronic Notification

02-28-2020 Filed: Findings of Fact/Conclusions of Law (Proposed): Background, Analysis, Findings of Fact and Conclusions of Law

02-28-2020 Filed: Return of Electronic Notification

04-02-2020 Filed: Request/Notice to Submit: Notice to Submit

04-02-2020 Filed: Return of Electronic Notification

04-29-2020 ORAL ARUGMENT RE: FINDINGS scheduled on July 23, 2020 at 01:00 PM with Judge MARVIN D BAGLEY

04-29-2020 NOTICE for Case 170600114 ID 20873241
Judge: MARVIN D BAGLEY
ORAL ARUGMENT RE: FINDINGS is scheduled.
Date: 07/23/2020
Time: 01:00 p.m.
Before Judge: MARVIN D BAGLEY

04-29-2020 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY

04-29-2020 Filed: Return of Electronic Notification

05-14-2020 Filed: Other - Not Signed Findings of Fact/Conclusions of Law (Proposed): Background, Analysis, Findings of Fact and Conclusions of Law

05-14-2020 Filed: Other - Not Signed Findings of Fact/Conclusions of Law (Proposed) Findings of Fact, Conclusions of Law, and Judgment

05-14-2020 Note: Oral argument is scheduled for July 23rd.

05-14-2020 Note: Oral argument is scheduled for July 23rd.

05-14-2020 Filed: Return of Electronic Notification

05-14-2020 Filed: Return of Electronic Notification

06-11-2020 ORAL ARUGMENT RE: FINDINGS scheduled on August 20, 2020 at 01:00 PM with Judge MARVIN D BAGLEY

06-11-2020 NOTICE for Case 170600114 ID 20950122
Judge: MARVIN D BAGLEY
ORAL ARUGMENT RE: FINDINGS is re-scheduled.
Date: 08/20/2020
Time: 01:00 p.m.
Before Judge: MARVIN D BAGLEY
The reason for the change is Conflict in attorney schedule.

06-11-2020 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY

06-11-2020 Filed: Return of Electronic Notification

08-18-2020 NOTICE for Case 170600114 ID 21107116

08-18-2020 NOTICE for Case 170600114 ID 21107117

08-18-2020 NOTICE for Case 170600114 ID 21107120

08-18-2020 NOTICE for Case 170600114 ID 21107121
Date:
The reason for the change is Incorrect entry

08-18-2020 Note: ORAL ARUGMENT RE: FINDINGS calendar modified.

08-18-2020 ORAL ARUGMENT RE: FINDINGS scheduled on August 20, 2020 at 01:15 PM with Judge MARVIN D BAGLEY

08-18-2020 NOTICE for Case 170600114 ID 21107188

08-18-2020 NOTICE for Case 170600114 ID 21107189

08-18-2020 ORAL ARUGMENT RE: FINDINGS Modified
Reason:

08-18-2020 ORAL ARUG RE: FINDINGS WEBEX scheduled on August 20, 2020 at 01:15 PM with Judge MARVIN D BAGLEY

08-18-2020 Filed: Return of Electronic Notification

08-19-2020 Filed: : Notice of Correction

08-19-2020 Filed: Return of Electronic Notification

08-19-2020 Filed: Objection to Notice of Correction

08-19-2020 Filed: Return of Electronic Notification

08-20-2020 Filed: : Filing of Edits for Proposed Errata Background, Analysis, Findings of Fact and Conclusions of Law

08-20-2020 Filed: Return of Electronic Notification

08-20-2020 Minute Entry - ORAL ARUGMENT
Judge: MARVIN D BAGLEY
Clerk: hollyr
TELEPHONE CONFERENCE
PRESENT
Plaintiff's Attorney(s): J BRYAN JACKSON
Defendant's Attorney(s): BRUCE JENKINS
Audio
Tape Count: 128-155

Court is being held by Webex because of Covid-19. Mr Jackson is first to argue, followed by Mr Jenkins. They both follow up. The court will get a decision written and mailed out.

08-31-2020 COMPLAINT - NO AMT S Account Adjustment Total Due: 446.25
Reason: Copy of Cd

08-31-2020 COMPLAINT - NO AMT S Payment Received: 11.00

09-09-2020 Filed: : Errata Background, Analysis, Findings of Fact and Conclusions of Law with Redlines

09-09-2020 Filed: Findings of Fact/Conclusions of Law (Proposed): Errata Background, Analysis, Findings of Fact and Conclusions of Law

09-09-2020 Filed: Return of Electronic Notification

09-14-2020 Filed: Objection to Proposed Errata Background, Analysis, Finding of Facts and Conclusions of Law

09-14-2020 Filed: Return of Electronic Notification

09-21-2020 Filed: : Response to Defendants Objection to Plaintiffs Proposed Errata Background Analysis Findings of Fact and Conclusions of Law

09-21-2020 Filed: Return of Electronic Notification

10-13-2020 Filed: Findings of Fact/Conclusions of Law: Errata Background, Analysis, Findings of Fact and Conclusions of Law
Judge MARVIN D BAGLEY
Signed October 13, 2020

10-13-2020 Filed: Return of Electronic Notification

10-30-2020 Filed: : Notice to Submit

10-30-2020 Filed: Order (Proposed): Defendants Judgment and Decree

10-30-2020 Filed: Order (Proposed): Plaintiffs Judgment and Decree

10-30-2020 Filed: Return of Electronic Notification

10-30-2020 Filed: Request for Hearing (Proposed Judgment and Decree)

10-30-2020 Filed: Return of Electronic Notification

10-30-2020 NOTICE for Case 170600114 ID 21304247
Judge: MARVIN D BAGLEY
HEARING PROPOSED JUDGMENT is scheduled.
Date: 11/13/2020
Time: 01:00 p.m.
Before Judge: MARVIN D BAGLEY
This hearing will not take place at the courthouse. It will be conducted remotely.
Contact the court to provide your current email address.
If you do not have access to a phone or other electronic device to appear remotely, notify the court.

10-30-2020 HEARING PROPOSED JUDGMENT scheduled on November 13, 2020 at 01:00 PM with Judge MARVIN D BAGLEY

10-30-2020 Filed: Notice for Case 170600114 PR: Judge MARVIN D BAGLEY

10-30-2020 Filed: Return of Electronic Notification

11-05-2020 Filed: : Notice of Association Communication

11-05-2020 Filed: Return of Electronic Notification

11-09-2020 NOTICE for Case 170600114 ID 21323390

11-09-2020 NOTICE for Case 170600114 ID 21323391

11-09-2020 Note: HEARING PROPOSED JUDGMENT calendar modified.

11-13-2020 Minute Entry - HEARING ON PROPOSED JUDGMENT
Judge: MARVIN D BAGLEY
Clerk: hollyr
TELEPHONE CONFERENCE
PRESENT

Plaintiff's Attorney(s): J BRYAN JACKSON

Defendant's Attorney(s): BRUCE JENKINS

Audio

Tape Count: 125-134

Court is being held by Webex due to Covid 19. Both counsel give argument to this matter. The matter is taken under advisement and findings will be entered.

11-20-2020 Filed order: Order: Defendants Judgment and Decree
Judge MARVIN D BAGLEY
Signed November 20, 2020

11-20-2020 Filed: Other - Not Signed Order (Proposed): Plaintiffs
Judgment and Decree

11-20-2020 Note: The Court signed the alternative proposed order.

11-20-2020 Filed: Return of Electronic Notification

11-20-2020 Filed: Return of Electronic Notification

11-20-2020 Case Disposition is Judgment
Disposition Judge is MARVIN D BAGLEY

12-16-2020 Filed: Notice of Appeal - Civil (not Interlocutory)

12-16-2020 Fee Account created Total Due: 240.00

12-16-2020 APPEAL Payment Received: 240.00

12-16-2020 Filed: Return of Electronic Notification

12-18-2020 Filed: Notice of Transcript Request and Certificate of Service

12-18-2020 Filed: Return of Electronic Notification

12-30-2020 Filed: Notice of Withdrawal and Substitution of Counsel

12-30-2020 Filed: Return of Electronic Notification

01-05-2021 Filed: Letter from Supreme Court of Utah (Case No. 20202961)

01-05-2021 Filed: Order from Supreme Court of Utah (Case transferred to
Utah Court of Appeals)

01-05-2021 Note: Appealed: Case #20200961

01-05-2021 Filed: Return of Electronic Notification

01-06-2021 Filed: TRANSCRIPT for Hearing of 01-24-2020

01-06-2021 Filed: TRANSCRIPT for Hearing of 01-27-2020

01-06-2021 Filed: TRANSCRIPT for Hearing of 01-28-2020

01-06-2021 Filed: TRANSCRIPT for Hearing of 08-20-2020

01-06-2021 Filed: TRANSCRIPT for Hearing of 11-13-2020

01-06-2021 Filed: Return of Electronic Notification

01-11-2021 Bond Account created Total Due: 300.00

01-11-2021 Bond Posted 300.00

02-04-2021 Filed: Notice from Utah Court of Appeals (Case No. 20200961)

02-04-2021 Filed: Return of Electronic Notification

03-23-2021 Filed: Judgment Roll and Index w/ Clerk's Certificate

03-23-2021 Note: Case electronically compiled and paginated; uploaded to
the Court of Appeals google drive this day. KS

03-23-2021 Filed: Return of Electronic Notification