

1 evidence simply could not. And because this case and its outcome could dramatically affect several
2 hundred property owners and their real property rights, all of the property owners have a right to
3 expect that the jurors are presented with a complete perspective of the subject subdivision and the
4 conditions and uses of the individual parcels therein. The Court is equally entitled to such
5 perspective, especially since the Court very likely may have to entertain Motions for a Directed
6 Verdict and/or Motions for Judgment Notwithstanding the Verdict in which event it will ultimately
7 have the final say in this case. Accordingly, we believe it would be wholly appropriate for both the
8 Court and the jury to conduct a site inspection.

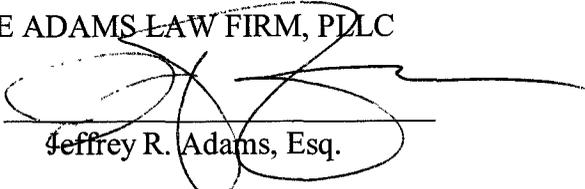
11 With respect to the semantics prior to any scheduled inspection, Defendants would undertake
12 the necessary efforts to accurately identify the specific parcels to view. We believe that at and during
13 the site visit, parties and their counsel would be entitled to attend provided however that any
14 commentary from any party and the Court/jury should be limited to identifying the boundaries of the
15 subdivision and identification of the individual parcels therein that are the subject of this matter.

18 Finally, as to Mr. Varilek's comment that a site inspection had not previously been requested,
19 we believe that that fact is irrelevant. At this juncture, we are nearly a year away from the scheduled
20 trial date and have an abundance of time within which to establish the timing and parameters of the
21 site visit and the protocols to be followed.

23 Based upon the foregoing, we ask that the Court grant Defendant's Motion.

24 DATED this 2 day of July, 2012

26 THE ADAMS LAW FIRM, PLLC

27 By: 

Jeffrey R. Adams, Esq.

1 COPY of the foregoing hand-delivered
2 this 2 day of July, 2012, to:

3 J. Jeffrey Coughlin, Esq.
4 J. Jeffrey Coughlin PLLC
5 114 S. Pleasant St.
6 Prescott, Arizona 86303
7 Attorney for Plaintiffs

7 David K. Wilhelmsen
8 Maguerite Kirk
9 Favour Moore & Wilhelmsen, PLC
10 P.O. Box 1391
11 Prescott, Arizona
12 Attorneys for James Verilek

11 Mark W. Drutz
12 Sharon Sargent-Flack
13 Musgrove, Drutz & Kack, P.C.
14 P.O. Box 2720
15 Prescott, Arizona 86302
16 Attorneys for Robert Veres

16 COPY of the foregoing mailed
17 this 2 day of July, 2012, to:

18 William "Bill" Jensen
19 2428 W. Colorado Avenue
20 Flagstaff, Arizona 86001
21 Pro Per

21 Hans Clugston
22 Hans Clugston, PLLC
23 1042 Willow Creek Road, Suite A101-PMB502
24 Prescott, Arizona 86301
25 Attorney for Margaret Kizlowski & Northern Az. Fiduciaries, Inc.

25 Karen L. Wargo
26 Michael P. Wargo
27 9200 E. Spurr Lane
28 Prescott Valley, Arizona 86315
Pro Per

1 Linda J. Hahn
2 10367 W. Mohawk Lane
3 Peoria, Arizona 85382
4 Pro Per

5 Noel J. Hebets, Esq.
6 Noel J. Hebets, PLC
7 127 E. 14th Street
8 Tempe, Arizona 85281
9 Attorney for William M. Grace

10 Robert E. Schmitt, Esq.
11 Murphy, Schmitt, Hathaway & Wilson, PLLC
12 P.O. Box 591
13 Prescott, Arizona 86302
14 Attorneys for Robert H. Taylor & Terri A. Thomson-Taylor

15 John & Rebecca Feddeman
16 9550 E. Spurr Lane
17 Prescott Valley, Arizona 86315
18 Pro Per

19 Gary & Sabra Feddema
20 9601 Far Away Place
21 Prescott Valley, Arizona 86315
22 Pro Per

23 Sergio Martinez & Susana Navarro
24 10150 N. Lawrence Lane
25 Prescott Valley, Arizona 86315
26 Pro Per

27 William R. & Judith K. Stegeman Trust
28 9200 E. Far Away Place
Prescott Valley, Arizona 86315
Pro Per

Rynda & Jimmy Hoffman
9650 E. Spurr Lane
Prescott Valley, Arizona 86315
Pro Per

1 William & Shaunla Heckethorn
2 9715 E. Far Away Place
3 Prescott Valley, Arizona 86315
4 Pro Per

4 Leo & Marilyn Murphy
5 9366 E. Turtlerock Rd.
6 Prescott Valley, Arizona 86315
7 Pro Per

7 James & Leslie Richie
8 9800 E. Plum Creek Way
9 Prescott Valley, Arizona 86315
10 Pro Per

10 Rhonda Folsom
11 9305 N. Coyote Springs Rd.
12 Prescott Valley, Arizona 86315
13 Pro Per

13 Kenneth Paloutzian
14 8200 Long Mesa Drive
15 Prescott Valley, Arizona 86315

15 Bonnie Rosson
16 8950 E. Plum Creek Way
17 Prescott Valley, Arizona 86315
18 Pro Per

18 Robert Lee & Patti Ann Stack/
19 Robert Lee & Patti Ann Stack Trust
20 10375 Lawrence Lane
21 Prescott Valley, Arizona 86315
22 Pro Per

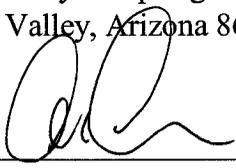
22 John & Dusti Audsley
23 10500 N. Orion Way
24 Prescott Valley, Arizona 86315
25 Pro Per

25 Dane E. & Sherrilyn G. Tapp
26 8595 E. Easy Street
27 Prescott Valley, Arizona 86315
28 Pro Per

1 Richard & Beverly Strissel
2 9350 E. Slash Arrow Drive
3 Prescott Valley, Arizona 86314
4 Pro Per

4 Mike and Julia Davis
5 9147 E. Morning Star Road
6 Prescott Valley, Arizona 86315
7 Pro Per

7 Richard & Pinney
8 10980 N. Coyote Springs Rd.
9 Prescott Valley, Arizona 86315
10 Pro Per

10 BY  _____
11

12
13
14
15
16
17
18
19
20
21
22
23
24
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