

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. D. DOUGLAS METCALF

CASE NO. C20204668

COURT REPORTER: Barb Smith
Courtroom - 678

DATE: May 21, 2021

MARK KELLY and
MARK KELLY FOR SENATE
Plaintiffs

Sarah R Gonski, Esq. and Henry Brewster, Esq.,
pro hac vice, counsel for Plaintiffs
appearing telephonically

VS.

FLYOVER MEDIA, LLC,
TOM PAPPERT, and
PATRICK HOWLEY
Defendants

Joel E. Sannes, Esq. and Michael Kielsky, Esq.
counsel for Defendants
appearing telephonically

MINUTE ENTRY

DEFENDANT'S MOTION TO DISMISS ALL CLAIMS BY PLAINTIFF MARK KELLY FOR SENATE:

Plaintiff representative is present, appearing telephonically. Defendant is not present.

Mr. Sannes and Ms. Gonski argue to the Court.

For the reasons stated on the record,

The Court DENIES that Motion to Dismiss.

The Court notes that the issue plead in the Controverting Certificate has been addressed in the Scheduling Order submitted by the parties and no longer requires court action.

IT IS ORDERED that the Trial Setting Conference currently set on November 5, 2021, at 9:15 AM, in Division 16, is affirmed.

In the event there are more than fifteen exhibits, counsel shall make arrangements with the Clerk's Office to have them pre-marked one week prior to the hearing by calling (520) 724-8279.

cc: Hon. D. Douglas Metcalf
Henry Brewster, Esq.
Joel E. Sannes, Esq.
Michael Kielsky, Esq.
Sarah R Gonski, Esq.

C. Hale
Deputy Clerk