

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

MINUTE ENTRY

Hearing Information

Bankruptcy Judge: The Honorable Daniel P. Collins
Case Number: 2:23-bk-02832-DPC
Debtor(s): LEGACY CARES, INC.
Chapter: 11
Date and Time: 11/18/2024 9:00 AM, 11/19/2024 9:00 AM, AND 11/20/2024 9:00 AM
Location(s): PHX-603
Courtroom Clerk: Renee Bryant
Electronic Court Recording Operator: Staci Jo Fagan

Matter(s)

TRIAL DAY 1 (NOVEMBER 18, 2024)

Appearances

JAMES CSONTOS, ATTORNEY FOR OKLAND CONSTRUCTION COMPANY, INC
TIM CONDE, IN HOUSE COUNSEL AT OKLAND CONSTRUCTION COMPANY, INC
GREG CAHILL, ATTORNEY FOR KEARNEY ELECTRIC, INC.
PHIL GILES, ATTORNEY FOR KEARNEY ELECTRIC, INC.
STEPHEN KAWULOK, WITNESS

Proceedings

Mr. Csontos makes his opening statement.

STEPHEN KAWULOK is called as a witness and is sworn in by the Courtroom Deputy. Mr. Cahill conducts direct examination, and Mr. Csontos cross-examines the witness. Mr. Cahill redirects, and the witness is excused.

COURT: THE TRIAL WILL CONTINUE ON NOVEMBER 19, 2024, AT 9:00 A.M.

Matter(s)

TRIAL DAY 2(NOVEMBER 19, 2024)

Appearances

JAMES CSONTOS, ATTORNEY FOR OKLAND CONSTRUCTION COMPANY, INC
TIM CONDE, IN HOUSE COUNSEL AT OKLAND CONSTRUCTION COMPANY, INC
GREG CAHILL, ATTORNEY FOR KEARNEY ELECTRIC, INC.
PHIL GILES, ATTORNEY FOR KEARNEY ELECTRIC, INC.
ROBERT FISHER, WITNESS
MARC TAYLOR, WITNESS
MICHAEL BAGGETT, WITNESS
MICHAEL KEARNEY, WITNESS

Proceedings

MICHAEL BAGGETT is called as a witness and sworn in by the Courtroom Deputy. Mr. Cahill conducts direct examination, and Mr. Csontos cross-examines the witness. Mr. Cahill redirects, and the witness is excused.

MARC TAYLOR is called as a witness and sworn in by the Courtroom Deputy. Mr. Csontos conducts direct examination, and Mr. Cahill cross-examines the witness. Mr. Csontos redirects, and the witness is excused.

MICHAEL KEARNEY is called as a witness and sworn in by the Courtroom Deputy. Mr. Giles conducts direct examination, and Mr. Csontos cross-examines the witness. The witness is excused.

Mr. Giles rests.

ROBERT FISHER is called as a witness and sworn in by the Courtroom Deputy. Mr. Csontos conducts direct examination.

COURT: THE TRIAL WILL RESUME ON NOVEMBER 20, 2024.

Matter(s)

TRIAL DAY 3(NOVEMBER 20, 2024)

Appearances

JAMES CSONTOS, ATTORNEY FOR OKLAND CONSTRUCTION COMPANY, INC
TIM CONDE, IN HOUSE COUNSEL AT OKLAND CONSTRUCTION COMPANY, INC
GREG CAHILL, ATTORNEY FOR KEARNEY ELECTRIC, INC.
PHIL GILES, ATTORNEY FOR KEARNEY ELECTRIC, INC.
ROBERT FISHER, WITNESS

Proceedings

ROBERT FISHER is recalled as a witness. He is reminded that he is under oath. Mr. Csontos direct examines the witness, and Mr. Giles cross-examines the witness. Mr. Csontos redirects. The witness is excused.

Mr. Csontos rests.

Mr. Giles believes the parties should submit simultaneous briefs and replies.

Mr. Csontos offers his input on a schedule.

The Court and parties discuss what will be addressed in the opening briefs.

COURT: IT IS ORDERED SETTING ORAL ARGUMENT ON FEBRUARY 13, 2025, AT 10:00 A.M. PARTIES ARE TO ATTEND IN PERSON IN COURTROOM 603. IT IS FURTHER ORDERED THAT POST-TRIAL BRIEFS ARE DUE BY THE CLOSE OF BUSINESS ON DECEMBER 20, 2024. IT IS FURTHER ORDERED THAT REPLY BRIEFS ARE DUE BY THE CLOSE OF BUSINESS ON JANUARY 24, 2025.