

3RD DISTRICT CT- SILVER SUMMIT  
SUMMIT COUNTY, STATE OF UTAH

ONTARIO COURT DRIVEWAY ASSOCIA vs. PARK CITY MUNICIPAL CORPORATIO  
CASE NUMBER 080500834 Civil Rights

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CURRENT ASSIGNED JUDGE  
KEITH KELLY

PARTIES

Plaintiff - ONTARIO COURT DRIVEWAY ASSOCIA  
Represented by: JOSEPH E TESCH  
Represented by: STEPHANIE K MATSUMURA  
Defendant - PARK CITY MUNICIPAL CORPORATIO  
Represented by: MARK D HARRINGTON  
Represented by: POLLY S SAMUELS MCLEAN  
Defendant - PARK CITY COUNCIL  
Represented by: MARK D HARRINGTON  
Represented by: POLLY S SAMUELS MCLEAN  
Defendant - PARK CITY FIRE SERVICE DISTRIC - DISMISSED  
Represented by: MARK D HARRINGTON  
Represented by: JEFFREY T COLEMERE  
Represented by: POLLY S SAMUELS MCLEAN

ACCOUNT SUMMARY

TOTAL REVENUE	Amount Due:	186.25
	Amount Paid:	186.25
	Credit:	0.00
	Balance:	0.00
TRUST TOTALS	Trust Due:	300.00
	Amount Paid:	300.00
	Credit:	0.00
	Trust Balance Due:	0.00
	Balance Payable:	0.00
REVENUE DETAIL - TYPE: COMPLAINT - NO AMT S	Amount Due:	155.00
	Amount Paid:	155.00
	Amount Credit:	0.00
	Balance:	0.00

REVENUE DETAIL - TYPE: COPY FEE

Amount Due: 5.50  
Amount Paid: 5.50  
Amount Credit: 0.00  
Balance: 0.00

REVENUE DETAIL - TYPE: COPY FEE

Amount Due: 14.50  
Amount Paid: 14.50  
Amount Credit: 0.00  
Balance: 0.00

REVENUE DETAIL - TYPE: COPY FEE

Amount Due: 11.25  
Amount Paid: 11.25  
Amount Credit: 0.00  
Balance: 0.00

TRUST DETAIL

Trust Description: Other Trust

Recipient: TESCH LAW OFFICES PC

Amount Due: 300.00  
Paid In: 300.00  
Paid Out: 300.00

CASE NOTE

PROCEEDINGS

12-08-08 Judge BRUCE LUBECK assigned.

12-08-08 Filed: Complaint No Amount

12-08-08 Fee Account created Total Due: 155.00

12-08-08 COMPLAINT - NO AMT S Payment Received: 155.00

Note: Code Description: COMPLAINT - NO AMT S

12-08-08 Filed: Petition For Review & Complaint For Declaratory &  
Injunctive Relief w/ Exhibits A-N

12-08-08 Filed: Complaint

12-08-08 Trust Account created Total Due: 300.00

12-08-08 Other Trust Payment Received: 300.00

12-08-08 Note: \$300.00 Cost Bond in Trust Account was put in for the  
bond to sue a government entity. There wasn't a better  
account to put it under so it was put under Other Trust.

12-11-08 Filed: Return To Sender - Default Refection Notice (Black Dog  
Constructions)

-11-08 Fee Account created Total Due: 5.50  
12-11-08 COPY FEE Payment Received: 5.50  
12-12-08 Filed return: Affidavit Of Service - Petition For Review And  
Complaint For Declaratory and Injunctive Relief and Summons -  
Park City Council  
Party Served: SCOTT, JANET M.--  
Service Type: Personal  
Service Date: December 09, 2008  
12-12-08 Filed return: Affidavit Of Service - Petition For Review And  
Complaint For Declaratory And Injunctive Relief and Summons -  
Park City Municipal Corporation  
Party Served: SCOTT, JANET M.--  
Service Type: Personal  
Service Date: December 09, 2008  
01-21-09 Filed: Answer Of Defendant Park City Municipal Corporation  
PARK CITY MUNICIPAL CORPORATIO  
PARK CITY COUNCIL  
02-19-09 Filed: Motion For Partial Summary Judgment  
Filed by: ONTARIO COURT DRIVEWAY ASSOCIA,  
02-19-09 Filed: Memorandum In Support Of Motion for Partial Summary  
Judgment  
03-27-09 Filed: Memorandum In Opposition Of Plaintiff's Motion For  
Partial Summary Judgment  
03-27-09 Filed: Park City Municipal Corporation's And Park City  
Council's Motion For Summary Judgment  
Filed by: PARK CITY COUNCIL,  
03-27-09 Filed: Memorandum In Support Of Park City Municipal  
Corporation's And Park City Council's Motion for Summary  
Judgment  
04-15-09 Filed: Memorandum In Opposition Of Plaintiff's Motion For  
Partial Summary Judgment  
04-20-09 Filed: Reply Memorandum In Support Of Motrin For Summary  
Judgment  
04-20-09 Filed: Memorandum In Opposition To Respondents' Motion For  
Summary Judgment  
04-28-09 Filed: Answer Of Park City Fire Service District  
PARK CITY FIRE SERVICE DISTRICT

04-28-09 Filed: Park City Fire District's Rule 12(b) (6) Motion To Dismiss

04-28-09 Filed: Memorandum Of Points And Authorities In Support Of The Park City Fire District's Rule 12(b) (6) Motion To Dismiss

05-08-09 Filed: Memorandum In Opposition To Park City Fire Service District's 12(B) (6) Motion to Dismiss

05-15-09 Filed: Reply Memorandum in Support of Park City Municipal Corporation's and Park City Council's Motion for Summary Judgment

05-20-09 Filed: Notice To Submit Decision In Support Of Park City Municipal Corporation's And Park City Council's Motion For Summary Judgment

05-20-09 Filed: Notice To Submit For Decision On Petitioner's Motion For Partial Summary Judgment

05-21-09 Notice - NOTICE for Case 080500834 ID 12148813  
ORAL ARGUMENT is scheduled.  
Date: 06/19/2009  
Time: 02:30 p.m.  
Location: COURTROOM 1  
SILVER SUMMIT  
6300 NORTH SILVER CREEK DRIVE  
PARK CITY, UT 84098  
Before Judge: BRUCE LUBECK

The court has set aside 1 hour for Plaintiff's motion for partial summary judgment filed 2/19/09. Park City's motion for summary judgment filed 3/27/09. Park City Fire's motion to dismiss filed 4/28/09

05-21-09 ORAL ARGUMENT scheduled on June 19, 2009 at 02:30 PM with Judge LUBECK.

05-22-09 Filed: Reply To Plaintiff's Memorandum In Opposition To Park City Fire District's Rule 12(b) (6) Motion to Dismiss

05-22-09 Filed: Request To Submit For Decision

06-19-09 Minute Entry - Minutes for ORAL ARGUMENT  
Judge: BRUCE LUBECK  
Clerk: brittanm  
PRESENT  
Plaintiff's Attorney(s): STEPHANIE K MATSUMURA  
JOSEPH E TESCH

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Defendant's Attorney(s): POLLY SAMUELS  
JEFFREY T COLEMERE

Audio

Tape Number: CD Tape Count: 2:33

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HEARING

TAPE: CD COUNT: 2:33

The court hears oral argument and will take this matter under advisement and will make a written ruling in due course

06-24-09 Filed: Correspondence To Judge Lubeck From Joseph E. Tesch

06-25-09 Ruling Entry - RULING AND ORDER

Judge: BRUCE LUBECK

The above matter came before the court on June 19, 2009, for oral argument on various motions.

...This Ruling and Order is the Order of the court and no other order is required.

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge BRUCE LUBECK

06-25-09 Filed: Ruling and Order

06-26-09 Fee Account created Total Due: 14.50

06-26-09 COPY FEE Payment Received: 14.50

07-14-09 Filed order: Order Dismissing Defendant Park City Fire Service District From Lawsuit

Judge BRUCE LUBECK

Signed July 14, 2009

07-14-09 Dismissed party - PARK CITY FIRE SERVICE

05-04-10 Judge KEITH KELLY assigned.

09-17-10 Case Disposition is Granted

Disposition Judge is KEITH KELLY

06-02-11 Fee Account created Total Due: 11.25

06-02-11 COPY FEE Payment Received: 11.25

Printed: 02/07/19 15:13:52

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06-30-11 Other Trust Check # 2681 Trust Payout: 300.00

06-30-11 Note: Check #2681 in the amount of \$300.00 was sent to Tesch  
Law Offices, PC at 314 Main Street, Ste 200, Park City,  
UT 84060