

SECOND DISTRICT COURT- LAYTON
DAVIS COUNTY, STATE OF UTAH

*****, ***** vs. *****, *****

CASE NUMBER 990602384 Condemnation

CURRENT ASSIGNED JUDGE
THOMAS L KAY

PARTIES

Plaintiff - JULIE W MOON

Plaintiff - WESLEY D MOON
Represented by: DAVID E BEAN

Defendant - KIM WALTON
Represented by: R SCOTT WATERFALL

ACCOUNT SUMMARY

Total Revenue Amount Due:	0.25
Amount Paid:	0.25
Amount Credit:	0.00
Balance:	0.00
REVENUE DETAIL - TYPE: COPY FEE	
Original Amount Due:	0.25
Amended Amount Due:	0.25
Amount Paid:	0.25
Amount Credit:	0.00
Balance:	0.00

CASE NOTE

PROCEEDINGS

06-28-1999 Case filed by casetran
06-28-1999 Judge THOMAS L KAY assigned.
06-28-1999 Filed: Complaint
06-30-1999 Filed: RECEIVED IN LAYTON -- Complaint that was filed in Farmington Dept
07-22-1999 Filed: Answer by Attorney R. Scott Waterfall
Answer Party: KIM WALTON
07-22-1999 Filed: Certificate of Service of Defendant's First Set of Interrogatories and Requests for Production of Documents
09-28-1999 Filed: Certificate of Service
01-14-2000 Filed: Motion for discovery conference and request for pre trial
01-14-2000 TELEPHONE CONFERENCE scheduled on January 24, 2000 at 01:30 PM in Courtroom #1 with Judge THOMAS L KAY
01-20-2000 TELEPHONE CONFERENCE rescheduled on January 27, 2000 at 09:30 AM
Reason: Rescheduled.

01-27-2000 Minute Entry - Minutes for TELEPHONE CONFERENCE

Judge: THOMAS L. KAY

Clerk: vickil

PRESENT

Plaintiff's Attorney(s): DAVID E. BEAN

Defendant's Attorney(s): R SCOTT WATERFALL

HEARING

Exhibits & witness exchange March 24, 2000

Discovery cutoff April 7, 2000

Proposed Findings and conclusions May 18, 2000

Bench Trial May 22, 2000

Permission is granted by Mr. Waterfall to have an engineer go on to his clients property to check out waterline.

Mr. Bean is to prepare the order.

Bench Trial is scheduled.

Date: 05/22/2000

Time: 01:00 p.m.

Location: Courtroom #1

JUDICIAL BUILDING

425 NORTH WASATCH DRIVE

LAYTON, UT 84041

Before Judge: THOMAS L. KAY

01-31-2000 BENCH TRIAL scheduled on May 22, 2000 at 01:00 PM in Courtroom #1 with Judge THOMAS L KAY

04-06-2000 BENCH TRIAL rescheduled on May 30, 2000 at 09:30 AM
Reason: Rescheduled.

04-06-2000 NOTICE for Case 990602384 ID 511909

Judge: THOMAS L. KAY

Bench Trial.

Date: 05/30/2000

Time: 09:30 a.m.

Location: Courtroom #1

JUDICIAL BUILDING

425 NORTH WASATCH DRIVE

LAYTON, UT 84041

Before Judge: THOMAS L. KAY

The reason for the change is Rescheduled.

05-05-2000 Note: Proposed Findings of Fact and Conclusions of Law 2 TLK
4 Sign.

05-30-2000 Minute Entry - Minutes for Bench Trial

Judge: THOMAS L. KAY

Clerk: vickil

PRESENT

Plaintiff(s): WESLEY D MOON

Plaintiff(s): JULIE W MOON

Defendant(s): KIM WALTON

Plaintiff's Attorney(s): DAVID E. BEAN

Defendant's Attorney(s): R SCOTT WATERFALL

Video

Tape Number: 120 Tape Count: 930

TRIAL

Wesley Moon sworn & testified

Ivan Flint sworn & testified

Kim Walton sworn & testified
Julie Moon sworn & testified
Tony Bagley sworn & testified
Attorneys meet in chambers with Judge Kay
After counsel meet with judge in chambers court continued
trial to September 12, 2000 at 9:00 am.

Bench Trial.

Date: 09/12/2000
Time: 09:00 a.m.
Location: Courtroom #1
JUDICIAL BUILDING
425 NORTH WASATCH DRIVE
LAYTON, UT 84041

Before Judge: THOMAS L. KAY

05-30-2000 BENCH TRIAL scheduled on September 12, 2000 at 09:00 AM in
Courtroom #1 with Judge THOMAS L KAY

05-31-2000 Filed return: Subpoena.

Party Served: KENT WHITAKER
Service Type: Personal
Service Date: May 27, 2000

Garnishee:

05-31-2000 Filed return: Subpoena.

Party Served: IVAN W. FLINT
Service Type: Substitute
Service Date: May 29, 2000

Garnishee:

05-31-2000 Filed return: Subpoena.

Party Served: TONY BAGLEY
Service Type: Substitute
Service Date: May 27, 2000

Garnishee:

08-31-2000 Filed return: Return of service on Subpoena

Party Served: Lee Coonrandt
Service Type: Personal
Service Date: August 26, 2000

Garnishee:

08-31-2000 Filed return: Return of service on Subpoena

Party Served: Wesley Moon
Service Type: Substitute
Service Date: August 26, 2000

Garnishee:

08-31-2000 Filed return: Return of service on Subpoena

Party Served: Mark Anderson
Service Type: Substitute
Service Date: August 26, 2000

Garnishee:

09-07-2000 Filed return: Return of service on Subpoena/served Tony Bagley

Party Served:
Service Type: Personal
Service Date: September 01, 2000

Garnishee:

09-07-2000 Filed return: Return of service on Subpoena/served Kent
Whitaker

Party Served:
Service Type: Substitute
Service Date: September 07, 2000

Garnishee:

09-07-2000 Filed return: Return of service on Subpoena/served Doug Smith

Party Served:
Service Type: Personal
Service Date: September 07, 2000

Garnishee:

09-12-2000 Minute Entry - Minutes for Bench Trial

Judge: THOMAS L. KAY
Clerk: vickil

PRESENT

Plaintiff(s): WESLEY D MOON
Plaintiff(s): JULIE W MOON
Defendant(s): KIM WALTON
Plaintiff's Attorney(s): DAVID E. BEAN
Defendant's Attorney(s): R SCOTT WATERFALL
Video

Tape Number: 131 Tape Count: 900

TRIAL

Plaintiff witnesses: Kent Whitaker, Wesley Moon, Julie Moon. Exhibits 7 & 8 offered and received.
Defense witnesses: Lee Coonradt, Kim Walton, Doug Smith
Court finds: Court grants easement to Julie and Wesley Moon.
Value of easement is \$200.00 to Kim Walton
No Attorney's fees or cost are awarded
Mr. Bean to prepare the order.

09-18-2000 Fee Account created Total Due: 0.25

09-18-2000 COPY FEE Payment Received: 0.25

10-25-2000 Filed: Plaintiffs Bill for Costs (Judgment granting right of way & Findings of Fact & Conclusions of Law) to Judge Kay

10-25-2000 Case Disposition is Judgment
Disposition Judge is THOMAS L KAY

10-25-2000 Judgment # 1 Entered 0.00

vickil

Creditor : KIM WALTON
Debtor : WESLEY D MOON
Debtor : JULIE W MOON
Debtor : DAVID E. BEAN
0.00 Other
0.00 Judgment Grand Total

10-25-2000 Filed judgment: Judgment granting right of Way
Judge THOMAS L KAY
Signed October 25, 2000

10-25-2000 Filed order: Findings of Fact and Conclusions of Law
Judge THOMAS L KAY
Signed October 25, 2000

04-05-2006 EVIDNOTC for Case 990602384 ID 8807969
Judge: THOMAS L KAY

Three months have elapsed since the final disposition of this case and no appeal or request for rehearing has been made. Pursuant to the Code of Judicial Administration Rule 4-206, you are notified that unless you withdraw the exhibits or file a written objection within 30 days, the exhibits will be disposed of pursuant to the Code of Judicial Administration Rule 4-206.

05-05-2006 EVIDNOTC for Case 990602384 ID 8829251

Judge: THOMAS L KAY

I certify that on _____ I destroyed the following exhibits which had been received by the court in this matter:

PLAINTIFF'S EXHIBITS

LUPE MORENO

Deputy Court Clerk

05-05-2006 Note: PLAINTIFF'S EXHIBITS: 2,3,4,7,8 (PAPERWORK)

05-30-2006 Filed: CERTIFICATE OF DESTRUCTION