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FIFTH DISTRICT COURT - ST. GEORGE
WASHINGTON COUNTY, STATE OF UTAH

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)	
DANIEL L. JOHNSON,)	
)	
Petitioner,)	Case No. 244500263 DA
)	
vs.)	Transcript of:
)	
JULIE L. ISAACSON,)	<u>BIFURCATION HEARING</u>
)	
Respondent.)	
_____)	

BEFORE THE HONORABLE ERIC GENTRY

ST. GEORGE COURTHOUSE
206 WEST TABERNACLE
ST. GEORGE, UTAH 84770

JULY 16, 2024

TRANSCRIBED BY: ZACHARY WAY, CCT
Certified Court Transcriber
(801) 706-9635

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A P P E A R A N C E S

For the Petitioner:

Brent
Middle Name
M
Last Name
Brindley
Bar Number
7148
Type
Active Attorney
Status
Paid
Date Admitted
10/17/1995
Law School
Brigham Young University
Business Contact Information
Organization
Brindley Sullivan PLLC
Mailing Address
50 E 100 S
Mailing Address Cont.
#302
City
SAINT GEORGE
State/Province
UT
Zip/Postal Code
84770-2305
Country
United States
Work Phone
14356739220

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For the Respondent:

Kathryn
Last Name
Lusty
Bar Number
10269
Type
Active Attorney
Status
Paid
Date Admitted
10/21/2004
Law School
Brigham Young University
Business Contact Information
Organization
Snow Jensen & Reece
Mailing Address
Tonaquint Business Park, Bldg B
Mailing Address Cont.
912 W 1600 S Ste 200
City
ST. GEORGE
State/Province
UT
Zip/Postal Code
84770
Country
United States
Work Phone
(435) 628-3688

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P R O C E E D I N G S

(July 16, 2024, St. George, Utah.)

A VOICE: Your Honor, if you want to call the Johnson-Isaacson case, we're not sure. The Court scheduled a hearing, so we're not sure exactly what the Court wanted to address.

THE COURT: The Court scheduled a hearing? I think actually it was a request.

MR. BRINDLEY: We filed a motion for bifurcation and then submitted it by stipulation and submitted approved findings on a decree of bifurcation. And those were returned unsigned in the hearing we set. I didn't see any. I wasn't sure exactly why.

THE COURT: Well, what I -- the reason I set the hearing was because there was a request for a Rule 100A case management conference --

MR. BRINDLEY: Okay.

THE COURT: -- that was set. I think it was requested some time ago but --

MR. BRINDLEY: It's requested on April 17th, Your Honor.

THE COURT: Yeah, okay.

MR. BRINDLEY: Okay.

THE COURT: So it was some time ago that

1 it was requested. But I think in looking at the file,
2 someone must have noticed it and set up this hearing.
3 So I --

4 MR. BRINDLEY: Okay.

5 THE COURT: I think that's what I
6 anticipated would be doing today.

7 MR. BRINDLEY: Should I resubmit the
8 findings under the decree for the bifurcation?

9 THE COURT: Yeah.

10 MR. BRINDLEY: I just saw that it was
11 declined in separate hearings, so I assumed that there
12 was a connection. There was something the Court had a
13 question about with regards to that motion.

14 THE COURT: It does me -- it does give the
15 Court some pause to sign a bifurcation because it
16 seems like sometimes that kind of puts the brakes on
17 getting things resolved when there's a bifurcation.
18 But so the Court has some hesitation in rushing to
19 bifurcate cases and then have them sort of drag on for
20 years and years.

21 MR. BRINDLEY: Yeah.

22 THE COURT: Some of my oldest cases I have
23 on my docket are cases that were early bifurcations
24 and eight years later, they're still trying to find
25 the property.

1 MR. BRINDLEY: Yeah --

2 THE COURT: And no one's really, really
3 motivated to do so because they're moved on with their
4 lives, so.

5 MR. BRINDLEY: I understand the concern.
6 Obviously, the Court's aware of the case law that just
7 talks about not holding parties hostage to --

8 THE COURT: Sure.

9 MR. BRINDLEY: -- the difficult economic
10 matters. I will just report we've done full
11 disclosures. We've requested mediation. Depositions
12 have been scheduled in the next month or so. So I
13 hope we can get a mediation and get there. We're very
14 anxious to get the case resolved.

15 MS. LUSTY: And my client too as well as
16 Your Honor, want to.

17 THE COURT: Okay. All right. I just
18 don't want it to drag on. You know, I just don't want
19 there to be, okay, now we're divorced, we can move on
20 with our lives and we don't want to pay attorneys
21 anymore. And we're just going to let it sort of drag
22 on forever and ever. And I don't really want that to
23 happen, so.

24 MR. BRINDLEY: I assure you that won't
25 happen on our side.

1 THE COURT: Okay.

2 MR. BRINDLEY: And I don't think it'll
3 happen with them either.

4 THE COURT: All right.

5 MS. LUSTY: Definitely not, Your Honor.

6 THE COURT: Okay. Well, anything we need
7 to decide on the case management conference? Any
8 reason we need to have one? One was requested. So
9 I --

10 MR. BRINDLEY: We've scheduled depositions
11 beyond the discovery deadline just in the interest of
12 getting them done and not fighting procedural battles.

13 THE COURT: So the parties have just kind
14 of worked all that out?

15 MR. BRINDLEY: Correct.

16 THE COURT: Okay.

17 MR. BRINDLEY: And I haven't even talked
18 to Mr. Reece about anything other than we have
19 depositions. I think they're like the 13th and 14th
20 of August.

21 MR. JOHNSON: 4th of August.

22 THE COURT: Okay. All right. I've
23 wondered about these case management conferences
24 because the rule says that in every domestic case they
25 shall be said. But I've seen so very few of them

1 that --

2 MR. BRINDLEY: Yeah.

3 THE COURT: -- have been said. So I kind
4 of wondered about that but --

5 MR. BRINDLEY: I will say, generally, it
6 appears to be the most common practice now is we get
7 the notice within due dates. We try to do the
8 disclosures in the timeframe and just get into early
9 mediation. That's the most common --

10 THE COURT: Yeah.

11 MR. BRINDLEY: -- way they're being
12 addressed.

13 THE COURT: Yeah. I mean --

14 MR. BRINDLEY: In most cases, it's not --

15 THE COURT: -- there's no reason -- I
16 guess, despite what's happened today, I guess there's
17 no reason to have a hearing, just to have a hearing.
18 But anyway. All right. Okay. So if you'll resubmit
19 those, Mr. Brindley, I'll grant the bifurcation as
20 long as everybody pinky promises not to drag
21 everything on, so.

22 MR. BRINDLEY: Yeah. And I'm sorry, Kate,
23 was there anything you wanted as far as --

24 THE COURT: Yeah.

25 MR. BRINDLEY: -- the case management?

1 THE COURT: Ms. Lusty.

2 MS. LUSTY: No, Your Honor. Just --

3 THE COURT: I think it was actually your
4 office that requested the --

5 MR. BRINDLEY: It was.

6 THE COURT: -- case management conference.

7 MS. LUSTY: Did we?

8 THE COURT: Yeah.

9 MS. LUSTY: Oh, I was not aware of that,
10 Your Honor, but yeah, that makes sense now, so.

11 THE COURT: Okay. Nothing for the Court
12 to decide then?

13 MS. LUSTY: I don't believe so.

14 THE COURT: Okay. If you'll just resubmit
15 those, Mr. Brindley, I'll sign them.

16 MR. BRINDLEY: Thank you, Your Honor.

17 THE COURT: All right.

18 MS. LUSTY: Thank you, Your Honor.

19 MR. BRINDLEY: Thank you.

20 MR. JOHNSON: Thank you.

21 (Hearing Adjourned at 9:38 a.m.)

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TRANSCRIBER'S CERTIFICATE

State of UTAH)
County of SALT LAKE)

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