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4 Attorneys for Plaintiffs

5 **IN THE SUPERIOR COURT OF ARIZONA**
6 **COUNTY OF YAVAPAI**

8 **JOHN B. CUNDIFF and BARBARA C.)**
9 **CUNDIFF, husband and wife; BECKY NASH,)**
10 **a married woman dealing with her separate)**
11 **property; KENNETH PAGE and KATHRYN)**
12 **PAGE, as Trustee of the Kenneth Page and)**
13 **Catherine Page Trust,)**
14 **Plaintiffs,)**
15 **vs.)**
16 **DONALD COX and CATHERINE COX,)**
17 **husband and wife,)**
18 **Defendants.)**

Case No. CV 2003-0399

Division 1

**PLAINTIFFS' MOTION TO
WITHDRAW OBJECTION TO
DEFENDANTS' SUPPLEMENTAL
AUTHORITIES
RE: COURT'S ORDER
GRANTING PLAINTIFFS'
MOTION TO COMPEL**

16 Plaintiffs, John and Barbara Cundiff, Becky Nash, and Kenneth and Kathryn Page, by and
17 through undersigned counsel, hereby withdraw their previous objection regarding Defendants' alleged
18 impermissible filing of "supplemental authorities" concerning Plaintiffs' motion to compel the
19 production of Defendants' income tax returns for the period 1998 to present as ordered by this Court
20 on January 31, 2005. Plaintiffs' objection was filed in error.

21 RESPECTFULLY SUBMITTED this 10th day of February, 2005.

22 FAVOUR, MOORE & WILHELMSSEN, P.A.

23
24
25 By David K. Wilhelmsen
Marguerite Kirk
26 Attorneys for Plaintiffs

DIV. 1
FEB 11 2005

1 Original of the foregoing filed
this 10th day of February, 2005 with:

2 Clerk, Superior Court of Arizona
3 Yavapai County
120 S. Cortez St.
4 Prescott, Arizona 86302

5 A copy hand-delivered this 10th day of February, 2005 to:

6 Honorable David L. Mackey
Division One
7 Superior Court of Arizona
Prescott, Arizona

8 and, a copy mailed this 10th day of February, 2005 to:

9 Mark Drutz
10 Jeffrey Adams
MUSGROVE, DRUTZ & KACK, P.C.
11 1135 Iron Springs Road
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12
13 By: 
David K. Wilhelmsen

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