

1 Mark W. Drutz, #006772  
2 Jeffrey R. Adams, #018959  
3 Sharon Sargent-Flack, #021590  
4 **MUSGROVE, DRUTZ & KACK, P.C.**  
5 1135 Iron Springs Road  
6 Prescott, Arizona 86305  
7 (928) 445-5935

8 *Attorneys for Defendants*

SUPERIOR COURT  
YAVAPAI COUNTY, ARIZONA  
2005 JUL 15 PM 3:58  
JEANNE HICKS, CLERK  
BY: C. SUTTON

9 **IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**  
10 **IN AND FOR THE COUNTY OF YAVAPAI**

11 JOHN B. CUNDIFF and BARBARA C.  
12 CUNDIFF, husband and wife; BECKY  
13 NASH, a married woman dealing with her  
14 separate property; KENNETH PAGE and  
15 KATHRYN PAGE, as Trustee of the Kenneth  
16 Page and Catherine Page Trust,  
17  
18 Plaintiffs,  
19  
20 v.  
21  
22 DONALD COX and CATHERINE COX,  
23 husband and wife,  
24  
25 Defendants.

Case No. CV 2003-0399

Division No. 1

**NOTICE OF ERRATA REGARDING  
RESPONSE TO PLAINTIFFS' MOTION  
IN LIMINE TO PRECLUDE  
DEFENDANTS' INTRODUCTION OF  
THE DEFENSE OF WAIVER**

(Assigned to the Honorable David L.  
Mackey)

26 NOTICE IS HEREBY GIVEN to the parties in the above-entitled action that the following  
27 correction should be made to the Response to Plaintiffs' Motion *in Limine* to Preclude Defendants'  
28 Introduction of the Defense of Waiver ("Motion"). The correction should be as follows:

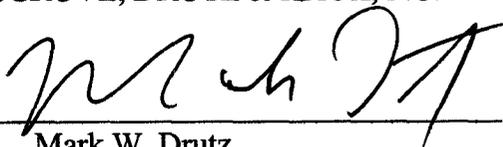
On page 2, line 11, the Motion references awarding Plaintiffs the sum of \$250.00 for their attorneys' fees incurred in responding to Plaintiffs' unnecessary motion. It should read that Defendants should be awarded the \$250.00.

**DIV. 1**  
JUL 18 2005

10/2

1 DATED this 15<sup>th</sup> day of July, 2005.

2 MUSGROVE, DRUTZ & KACK, P.C.

3  
4 By 

5 Mark W. Drutz

6 Jeffrey R. Adams

7 Sharon Sargent-Flack

*Attorneys for Defendants*

8 COPY of the foregoing mailed  
9 this 15<sup>th</sup> day of July, 2005, to:

10 Honorable David L. Mackey  
11 Yavapai County Superior Court  
12 Division 1  
13 Yavapai County Courthouse  
14 Prescott, Arizona 86301

15 David K. Wilhelmsen, Esq.  
16 Marguerite M. Kirk, Esq.  
17 Favour, Moore & Wilhelmsen, P.A.  
18 1580 Plaza West Drive  
19 Post Office Box 1391  
20 Prescott, Arizona 86302-1391

*Attorneys for Plaintiffs*  
