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BY: 

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DUM

Attorneys for Defendants

IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

10 JOHN B. CUNDIFF and BARBARA C.
11 CUNDIFF, husband and wife; BECKY
12 NASH, a married woman dealing with her
13 separate property; KENNETH PAGE and
14 KATHRYN PAGE, as Trustee of the Kenneth
15 Page and Catherine Page Trust,

Plaintiffs,

v.

17 DONALD COX and CATHERINE COX,
18 husband and wife,

Defendants.

Case No. CV 2003-0399

Division No. 1

**DEFENDANTS' NOTICE OF FILING
EXHIBITS AND EXHIBIT LIST**

(Assigned to the Honorable David L. Mackey)

21 Defendants do hereby provide notice that they have filed with the Clerk of the Court the
22 following exhibits that they intend to utilize during trial:

- 23 1. Declaration of Restrictions at issue in this case;
- 24 2. Assessor Parcel Map;
- 25 3. Affidavit of Sheila M. Cahill and photographs attached thereto;
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4. Photographs of Coyote Springs Ranch properties sorted by parcel numbers depicting violations of the Declaration of Restrictions including those with related business cards, Lonesome Valley Newsletter advertisements, telephone book advertisements and advertising flyers as previously disclosed.

5. Spreadsheet prepared by Defendants documenting their observations of violations of the Declaration attached to Defendants' Response to Motion for Site Inspection;

6. Articles regarding Coyote Springs Ranch from the August, 2003 through December, 2004 editions of the Lonesome Valley Newsletter;

7. 2nd Chance Mobile Home Transport Co. voided check and invoice from same;

8. Advertisement for Sure-Wood Forest Trees located in Coyote Springs Ranch;

9. Agricultural Land Use Application;

10. Documents pertaining to any and all improvements, structures, or developments made on the Subject Property from 1998 to present;

11. Correspondence from Karrie Decker;

12. Correspondence from Mike and Karen Wargo;

13. Correspondence from Frank and Laura Lamberson;

14. Correspondence from Larry Kirby;

15. Correspondence from RT Contracting Specialists, LLC (Robert Taylor);

16. Correspondence from Christin Bowra, Jeff Westra and Mychel Westra;

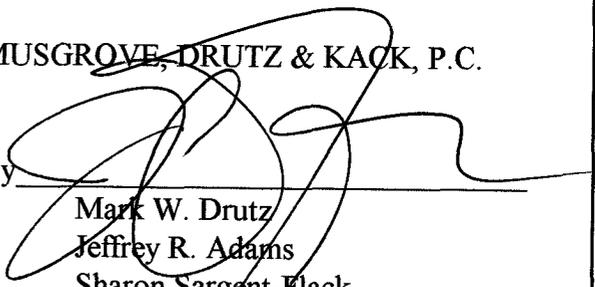
17. Correspondence from Charles A. Hildebrant;

- 1 18. Correspondence from Noreen Vaughan;
- 2 19. Correspondence from Kathleen Wickman;
- 3 20. Correspondence from Grant L. Griffiths, Owner of New Life Landscapes, Inc.;
- 4 21. Correspondence from William and Linda Furbee;
- 5 22. Affidavits (2) of Curtis Kincheloe;
- 6 23. Correspondence from Sue Stoks;
- 7 24. Correspondence from Ed Woodworth;
- 8 25. The Daily Courier article from May 30, 2005;
- 9 26. Deposition of Robert J. Lauanders taken on March 20, 2001, together with all exhibits
- 10 attached thereto, in Rodney G. Smith and Jill L. Smith v. Al F. McRoberts and Joann McRoberts, et
- 11 al., Yavapai County Superior Court Case No. CV 2000-0472;
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- 15 27. Check from Defendant Nash to Curtis Kincheloe;
- 16 28. Invoices related to work on vehicles by Curtis Kincheloe;
- 17 29. Telephone directory for Johnson Landscape & Property Maintenance business being
- 18 operated at 8700 Morrow Way, Prescott Valley, Arizona;
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- 20 30. Webster's New World Dictionary (3rd College Ed. 1988);
- 21 31. Depositions of the Parties.
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RESPECTFULLY SUBMITTED this 25 day of July, 2005.

MUSGROVE, DRUTZ & KACK, P.C.

By: 
Mark W. Drutz
Jeffrey R. Adams
Sharon Sargent-Flack
Attorneys for Defendants

ORIGINAL of the foregoing filed
this 25 day of July, 2005 with:

Clerk of the Court
Yavapai County Superior Court
Yavapai County Courthouse
Prescott, Arizona 86301

Copy hand-delivered this 25 day
of July, 2005 to:

Honorable David L. Mackey
Division One
Yavapai County Superior Court
Prescott, Arizona 86301

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By: 