

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

**DIVISION 3**

**ETHEL BOUTON, Clerk**

**HON. JAMES B. SULT**

**By: Mary Slaughter, Deputy Clerk**

**CASE NUMBER: 4772**

**DATE: March 11, 1991**

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**TITLE:**

**COUNSEL:**

**GEORGE W. HANCE, et al.**

**L. Richard Mabery**

**(Plaintiff)**

**(For Plaintiff)**

**vs.**

**and**

**WALES ARNOLD, et ux., et al.**

**Douglas G. Wymore  
1136 East Campbell  
Phoenix, AZ 85014**

**(Defendant)**

**(For Defendant)**

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**HEARING ON:**

**COURT REPORTER:**

**MOTION TO RECONSIDER/  
MOTION FOR NEW TRIAL**

**Sandra K Markham**

√ This being the time set for oral argument on Plaintiff's Motion to Reconsider and Motion for New Trial; Plaintiff appearing through counsel, L. Richard Mabery; Defendant, Jim Davis, appearing in person and through counsel, Douglas Wymore.

Comes now the Court and advises it will not consider the Motion for New Trial.

The Motion to Reconsider is argued, submitted, and IT IS ORDERED granting the Motion to Reconsider and an Order to Show Cause hearing will be scheduled, with an estimated length of hearing being two to three days.

IT IS FURTHER ORDERED that Plaintiff's counsel shall file a pleading within 10 days of this date which sets forth the pleadings Plaintiff wishes the Court to judicially notice, and Defendants' counsel shall file a similar pleading prior to the hearing date.

Comes now Defendants' counsel and requests permission to amend the pleadings and assert claims.

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IT IS ORDERED that Plaintiff's counsel shall, within 30 days of this date, file an amended motion on all claims and Defendants' counsel shall file a responsive claim within 30 days from that time, and Plaintiff's counsel shall file a reply within 20 days, but a reply will not be required.

Comes now Defendants' counsel and advises that Mr. Hiatt is present in the Courtroom and wishes to file a Petition with the Court requesting the Court to not reconsider its decision and the Court advises Mr. Hiatt that it cannot accept the Petition as Mr. Hiatt is not a party to this action.