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JUL 7 2004 ✓

JEANNE HOOKS, Clerk
By: Julien
Deputy

1 Mark W. Drutz, Esq., # 006772
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2 **MUSGROVE, DRUTZ & KACK, P.C.**
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3 Prescott, Arizona 86305
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4 Attorneys for Defendants
5

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

8 JOHN B. CUNDIFF and BARBARA C.)
CUNDIFF, husband and wife; ELIZABETH)
9 NASH, a married woman dealing with her)
separate property; KENNETH PAGE and)
10 KATHRYN PAGE, as Trustee of the Kenneth)
Page and Catherine Page Trust,

11 Plaintiffs,

12 v.

13 DONALD COX and CATHERINE COX,)
14 husband and wife,

15 Defendants.
16
17

CASE NO. [REDACTED]
[REDACTED]

**RESPONSE TO MOTION TO AMEND
CAPTION**

(Assigned to the Honorable David L.
Mackey)

(No oral argument requested)

18 Defendants, by and through undersigned counsel, do hereby respond to Plaintiffs' Motion to
19 Amend Complaint and do not oppose said motion.

20 DATED this 1 day of July, 2004.

MUSGROVE, DRUTZ & KACK, P.C.

By [Signature]
Mark W. Drutz
Jeffrey R. Adams
Attorneys for Defendants

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1 A COPY of the foregoing hand-
delivered this 7th day of July, 2004 to:

2
3 The Honorable David L. Mackey
4 Yavapai County Superior Court
5 Division 1
6 Yavapai County Courthouse
7 Prescott, Arizona

8 A COPY of the foregoing mailed
9 this 7th day of July, 2004 to:

10 David K. Wilhelmsen
11 Marguerite M. Kirk
12 FAVOUR, MOORE & WILHELMSSEN, P.A.
13 Post Office Box 1391
14 Prescott, Arizona 86302-1391
15 Attorneys for Plaintiffs

16 *J. Torngquist*