

SUPERIOR COURT  
YAVAPAI COUNTY, ARIZONA

2005 FEB -3 PM 3:33

JEANNE HICKS, CLERK

BY: *Janet Moran*

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8 **IN THE SUPERIOR COURT OF ARIZONA**  
9 **COUNTY OF YAVAPAI**

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

Case No. [REDACTED]

Division 1

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

21 Plaintiffs, John and Barbara Cundiff, Becky Nash, and Kenneth and Kathryn Page, by and  
22 through undersigned counsel, hereby oppose Defendants' impermissible filing of a purported  
23 "supplemental authorities" concerning Plaintiffs' motion to compel the production of Defendants'  
24 income tax returns for the period 1998 to present as ordered by this Court on January 31, 2005.

25 The purpose of filing supplemental authorities with a court is to bring to the court's attention  
26 recently discovered pertinent authorities or judicial decisions released subsequent to completion of  
27 briefing on the matter that directly bear on the issues before the court. Supplemental authorities are  
28 *not* a vehicle to re-urge argument or case law that could have, or should have, been argued by the party  
29 in its moving papers or oral argument.

30 In this instance, Defendants' supplemental authorities is little more than an inappropriately  
31 captioned motion for reconsideration. Defendants are impermissibly attempting to re-argue a matter  
32 fully briefed and ruled upon by this Court.

**DIV. 1**  
**FEB - 4 2005**

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