

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

JOHN B. CUNDIFF and BARBARA C. CUNDIFF, husband and wife; BECKY NASH, a married woman dealing with her separate property; KENNETH PAGE and KATHRYN PAGE, as Trustee of the Kenneth Page and Catherine Page Trust, <p align="center">Plaintiff,</p> <p align="center">-vs-</p> DONALD COX and CATHERINE COX, husband and wife, <p align="center">Defendant.</p>	Case No. CV2003-0399 RULING RE: DEFENDANTS' WITNESS LIST	<p align="center">FILED</p> DATE: <u>JUL 11 2005</u> <u>09</u> O'Clock <u>A</u> .M. JEANNE HICKS, CLERK BY: <u>SIJE FERGUSON</u> <p align="center">Deputy</p>
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HONORABLE DAVID L. MACKEY DIVISION 1	BY: Cheryl Wagster Judicial Assistant DATE: July 7, 2005
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The Defendant has filed a Witness List listing 402 witnesses. The Court has allotted six days for this trial. The Court finds that the listing of 402 witnesses is not in good faith and is intended to harass or cause unnecessary delay.

THEREFORE, IT IS ORDERED striking Defendant's Witness List pursuant to Rule 11, Ariz. R.Civ.P.

cc: David K. Wilhelmsen – Favour Moore & Wilhelmsen, P.O. Box 1391, Prescott, AZ 86302
 Jeffrey Adams – Musgrove, Drutz & Kack, 1135 Iron Springs Road, Prescott, AZ 86302

JUL 07 2005