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Original of the foregoing Notice of Filing
List of Witnesses and Exhibits filed this
25th day of July, 2005 with:

Clerk, Superior Court of Arizona
Yavapai County
Prescott, Arizona

A copy of the forgoing Notice and exhibits
hand-delivered this 25th day of July, 2005,
to:

Exhibit Clerk, Superior Court of Arizona
Yavapai County
Prescott, Arizona

and, a copy of the foregoing with exhibits
hand-delivered this 25th day of July, 2005,
to:

Mark Drutz
Jeffrey Adams
MUSGROVE, DRUTZ & KACK, P.C.
1135 Iron Springs Road
Prescott, Arizona 86305
Attorneys for Defendants

By: Marguerite Kirk
Marguerite Kirk

EXHIBIT LIST
CV 2003-0399

Tab	Exhibit
1	Certified copy of Cundiff Joint Tenancy Deed, dated April 2, 1992, recorded in book 2475, page 174.
2	Certified copy of Nash Warranty Deed dated August 21, 2000, recorded in book 3778, pages 627-629.
3	Certified copy of Nash Warranty Deed dated October 29, 2001, recorded in book 3875, pages 538-539.
4	Certified copy of Page Warranty Deed dated March 14, 2001, recorded in book 3820, pages 227-330.
5	Certified copy of Cox Warranty Deed dated April 21, 1998, recorded in book 3568, pages 863-865.
6.	Certified copy of Declaration of Restrictions, dated June 13, 1974, recorded in book 910, pages 680-682.
7.	Documents received from custodian of records, Capital Title Agency in response to subpoena <i>duces tecum</i> regarding Cox's purchase of the subject real property located in Coyote Springs Ranch.
8.	Documents received from custodian of records, Realex Management, LLC dba Realty Executives of Prescott Area in response to subpoena <i>duces tecum</i> regarding Cox's purchase of the subject real property located in Coyote Springs Ranch.
9.	Documents provided in response to Plaintiffs' request for production of documents.
9a.	Plaintiffs' second request for production of documents and things.
10.	Deposition of Donald Cox.
10a.	Deposition of Catherine Cox.
11.	Deposition of John B. Cundiff.
11a.	Deposition of Barbara C. Cundiff.
11b.	Deposition of Elizabeth Nash.
11c.	Deposition of Kenneth Page.
11d.	Deposition of Kathryn Page.
12.	Map of the subject area (attached to Plaintiffs' Request for Court's On-Site Inspection, previously provided).

13.	Copy of file maintained by Yavapai County Land Use Development Services regarding Defendants' application for an agricultural-use tax exemption on the subject property.
14.	Affidavit of Robert D. Conlin, dated November 4, 2004.
15.	Aerial photographs of the Coyote Springs Ranch subdivision dated September, 2004 from the Yavapai County Management Information Systems, GIS Department.
15a.	Aerial photographs of the Defendants' property located in Coyote Springs Ranch dated August to December, 2000 from the Yavapai County Management Information Systems, GIS Department.
15b.	Aerial photographs of the Coyote Springs Ranch subdivision and Defendants' property located in Coyote Springs Ranch dated September, 2004 from the Yavapai County Management Information Systems, GIS Department.
16.	Documentation compiled by Plaintiffs regarding property owners Defendants have alleged are operating business in Coyote Springs Ranch.
17.	Prescott Valley Growers Partnership federal and state tax returns for 2000.
17a.	Prescott Valley Growers Partnership federal and state tax returns for 2001.
17b.	Prescott Valley Growers Partnership federal and state tax returns for 2002.
17c.	Prescott Valley Growers Partnership federal and state tax returns for 2003.
17d.	Prescott Valley Growers Partnership federal and state tax returns for 2004.
18.	Individual federal and state income tax returns for Defendants Cox for 1998.
18a.	Individual federal and state income tax returns for Defendants Cox for 1999.
18b.	Individual federal and state income tax returns for Defendants Cox for 2000.
18c.	Individual federal and state income tax returns for Defendants Cox for 2001.
18d.	Individual federal and state income tax returns for Defendants Cox for 2002.
18e.	Individual federal and state income tax returns for Defendants Cox for 2003.
19.	Underlying documentation and financial records for partnership tax returns if ordered produced by the Court.
20.	Inventory records maintained by Defendants for inventory (trees, shrubs, etc.) located on the subject property for all years that Defendants have maintained inventory on the subject property.
21.	Documents pertaining to any and all improvements, structures, or developments made on the subject property from 1998 to present.

22.	Copy of Defendants Cox application for well drilling filed with the Arizona Department of Water Resources, June 13, 2000.
23.	Documents pertaining to all machinery, equipment, fixtures, supplies, tools and the like maintained or used in any fashion on the subject property from 2000 to present.
24.	Employee records for Prescott Valley Growers pertaining to Defendants wholesale, retail and Coyote Springs Ranch property for 2000.
24a.	Employee records for Prescott Valley Growers pertaining to Defendants wholesale, retail and Coyote Springs Ranch property for 2001
24b.	Employee records for Prescott Valley Growers pertaining to Defendants wholesale, retail and Coyote Springs Ranch property for 2002
24c.	Employee records for Prescott Valley Growers pertaining to Defendants wholesale, retail and Coyote Springs Ranch property for 2003
24d.	Employee records for Prescott Valley Growers pertaining to Defendants wholesale, retail and Coyote Springs Ranch property for 2004
25.	Copy of Robert Launders' deposition transcript, <i>Smith v. McRoberts, et al.</i> , Yavapai County Superior Court Case No. CV 2000-0472.
26.	Any pleading, motion, judgment filed in <i>Smith v. McRoberts, et al.</i> , Yavapai County Superior Court Case No. CV 2000-0472 which this Court may take judicial notice of.
27.	Sheila Cahill affidavit, CV 2003-0399, September 29, 2004.

WITNESS LIST
CV 2003-0399

Witnesses

1. John and Barbara Cundiff
7460 North Coyote Springs Road
Prescott Valley AZ 86314
2. Becky Nash
7901 North Coyote Springs Road
Prescott Valley AZ 86314
3. Kenneth and Katheryn Page
14810 North 18th Place
Phoenix AZ 85022
4. Donald and Cahterine Cox
7325 N. Coyote Springs Road
Prescott Valley, Arizona 86314
5. Alan Cox
6750 N. Viewpoint Drive
Prescott Valley, Arizona 86314
6. James Cox
6750 N. Viewpoint Drive
Prescott Valley, Arizona 86314
7. David ("Dusty") Eiker
7060 Burro Street
Prescott Valley, Arizona 86314
8. Donald James
7570 N. Coyote Springs
Prescott Valley, Arizona 86314
9. Robert J. Launders
3100 N. Navajo Drive #B-3
Prescott Valley, Arizona 86314
10. Wanetta S. Offerman
3510 E. Liese Drive
Prescott, Arizona 86303

11. Doug Reynolds
Land Use Specialist
Yavapai County Land Use Development Services
500 S. Marina Street
Prescott, Arizona 86303
12. Daniel Sanders
8650 Kelly Road
Prescott Valley, Arizona 86314
13. Steven Stein, CPA
1113 W. Mohawk Lane
Phoenix, Arizona 85027-3680

Any and all witnesses listed by Defendants in their list of witnesses and exhibits, pretrial statement or supplemental lists. This provision does not operate as a waiver of any objection Plaintiffs may have to any witness, exhibit or evidence Defendants may offer at time of trial.