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SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

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

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

19 v.
20
21 DONALD COX and CATHERINE COX,
22 husband and wife,
23
24 **Defendants.**

Case No. CV 2003-0399

Division No. 1

MOTION FOR CLARIFICATION

25 Defendants Donald Cox and Catherine Cox ("Defendants"), by and through undersigned
26 counsel, hereby move the Court for clarification of the Court's Order dated August 9, 2007. The
27 Order provides in part:

28 "IT IS ORDERED that the appeal bond posted on behalf of the Plaintiff, by Favour, Moore
and Wilhelmsen, in the amount of \$500.00 be exonerated. In addition the appeal bond posted on
behalf of the Defendants by Musgrove, Drutz & Kack, in the amount of \$500.00 be exonerated. If
no objection is filed within thirty (30) days, the bond shall be returned to Plaintiff."

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In view of the Court of Appeals not having awarded costs to either of the parties, Defendants presume that the Court is ordering that the respective bonds be returned to each party.

Defendants request that the Court issue a Minute Entry Order which clarifies this.

DATED this 15th day of August, 2007.

MUSGROVE, DRUTZ & KACK, P.C.
By 
Mark W. Drutz
Jeffrey R. Adams
Attorneys for Defendants

COPY of the foregoing mailed this 15th day of August, 2007 to:

Honorable David L. Mackey
Yavapai County Superior Court
Division 1
Yavapai County Courthouse
Prescott, AZ 86301

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