

2009 APR -6 PM 3: 44 ✓

JEANNE HICKS, CLERK

BY: S Smisko

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5 Attorneys for Plaintiffs

6 IN THE SUPERIOR COURT OF ARIZONA

7 COUNTY OF YAVAPAI

8 **JOHN B. CUNDIFF** and **BARBARA C.**)
CUNDIFF, husband and wife; **BECKY J.**)
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 vs.)

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

15 Defendants.)
16 _____)

No. CV 2003-0399

Division 1

**MOTION FOR ADDITIONAL
TIME TO FILE RESPONSE
TO DEFENDANTS'
REQUEST FOR "LIFT OF STAY"**

17 Plaintiffs, through counsel undersigned, move this Court for additional time of one
18 week, through to and including April 13, 2009, within which to file their response to Defendants'
19 Cox's request for a lift of stay and order as to the remaining time within which Plaintiffs are to join
20 all other sub-division property owners to this action. This request for additional time is sought due
21 to undersigned counsel's calendar that have precluded meaningful evaluation of Defendants' request
22 and consultation with his clients raised by Defendants' request. This motion is made in good faith,
23 and not for purposes of delay.

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RESPECTFULLY SUBMITTED this 6th day of April, 2009.

FAVOUR, MOORE & WILHELMSSEN, P.A.

By 
David K. Wilhelmsen
Marguerite Kirk
Post Office Box 1391
Prescott, AZ 86302-1391
Attorneys for Plaintiffs CUNDIFF, et al.

ORIGINAL of the foregoing Motion
for Additional Time filed this 6th day
of April, 2009, with:

Clerk, Superior Court of Arizona
Yavapai County
120 S. Cortez Street
Prescott, Arizona 86302

Copy of the foregoing hand-delivered
this 6th day of April, 2009, to:

Honorable David L. Mackey
Division One
Superior Court of Arizona
Yavapai County
120 S. Cortez Street
Prescott, Arizona 86302

and, a copy mailed this 6th day of
April, 2009, to

Jeffrey Adams
ADAMS & MULL
Post Office box 1031
Prescott, Arizona 86302-1031
Attorneys for Defendants Cox

By: 
David K. Wilhelmsen