



# Clerk of Superior Court

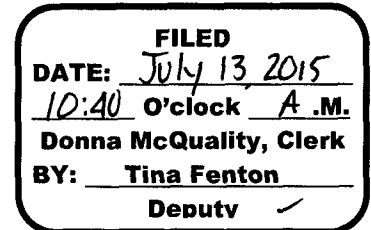
Yavapai County Courthouse  
120 S. Cortez  
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Donna McQuality  
Clerk  
  
Kelly Gregorio  
Chief Deputy

## Initial Notice Re: Appeal

Mrs. Ruth Willingham, Clerk  
Court of Appeals, Division 1  
Via Electronic Transmission



Dear Mrs. Willingham:

**Re: John B. Cundiff, et al, Vs. Donald Cox, et al,  
Yavapai County Superior Court: P1300CV20030399**

A second Notice of Appeal was filed on, July 6, 2015, by attorney Sharon Flack on behalf of the Cox defendants. The index of record will be electronically transmitted on or before **August 6, 2015**. A copy of the Notice of Appeal is enclosed to all parties or their counsel.

If there is anything else required, please do not hesitate to call me.

Sincerely,

Tina Fenton  
Appeals Clerk  
(928-771-3312)

Cc: J. Jeffrey Coughlin, Esq.  
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11 Attorneys for Defendants Donald and Catherine Cox

12 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

13 **IN AND FOR THE COUNTY OF YAVAPAI**

14 JOHN B. CUNDIFF and BARBARA C.  
15 CUNDIFF, husband and wife; ELIZABETH  
16 NASH, a married woman dealing with her  
17 separate property; KENNETH PAGE and  
18 KATHERYN PAGE, as Trustee of the  
19 Kenneth Page and Catherine Page Trust,

20 Plaintiffs,

21 v.

22 DONALD COX and CATHERINE COX,  
23 husband and wife, et al., et ux.,

24 Defendants.

Case No. P1300CV20030399

Division Pro Tem A

**NOTICE OF APPEAL**

SUPERIOR COURT  
YAVAPAI COUNTY, ARIZONA

2015 JUL 16 PM 4: 20

DONNA McQUALITY, CLERK

BY: K. ALEXANDER

25 NOTICE IS HEREBY GIVEN that the above named Defendants Donald and Catherine Cox  
26 by and through undersigned counsel, pursuant to Arizona Rules of Civil Appellate Procedure 8 and  
27 9, hereby appeal to the Court of Appeals of the State of Arizona, Division One, from:

- 28
1. Ruling dated June 9, 2015, and entered as a Judgment in this action on June 10, 2015, in favor of Plaintiffs John B. Cundiff, Barbara C. Cundiff, Elizabeth Nash, Kenneth Page and Katheryn Page, as Trustees of the Kenneth Page and Katheryn Page Trust (Cundiffs, Nash, and Pages shall be referred to herein as the "**Cundiff Plaintiffs**").

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2. Ruling dated June 23, 2015, and entered as a Judgment in this action on June 30, 2015, in favor of James Varilek and the Cundiff Plaintiffs.

DATED this 6<sup>th</sup> day of July, 2015.

MUSGROVE DRUTZ KACK & FLACK, PC

By: Sharon M. Flack  
Mark W. Drutz  
Sharon M. Flack  
Jeffrey D. Gautreaux  
Attorneys for Defendants Donald and Catherine Cox

COPY the foregoing hand-delivered this 6<sup>th</sup> day of July, 2015, to:

Honorable Jeffrey Paupore  
Yavapai County Superior Court  
120 South Cortez Street  
Prescott, AZ 86303

COPY the foregoing mailed this 6<sup>th</sup> day of July, 2015, to:

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2 Trustees of the Robert Lee and Patti  
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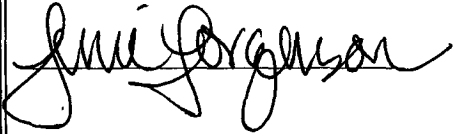
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