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SEP 13 2017

DONNA McQUALITY, Clerk
By: K. MORTENSON

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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; ELIZABETH
13 NASH, a married woman dealing with her
14 separate property; KENNETH PAGE and
15 KATHRYN PAGE, as Trustee of the Kenneth
16 Page and Catherine Page Trust,

17 Plaintiffs,

18 vs.

19 DONALD COX and CATHERINE COX,
20 husband and wife,

21 Defendants.

CASE NO. P1300CV20030399

**ORDER REQUIRING
DEBTOR TO PRODUCE
DOCUMENTATION AND
APPEAR FOR EXAMINATION**

22 Plaintiffs, Judgment Creditors have obtained judgments against Judgment Debtors and
23 have requested that Judgment Debtors and three non-parties produce certain documents to
24 Judgment Creditors and then appear in this Court to be questioned about the information
25 produced.

IT IS ORDERED that, pursuant to A.R.S. § 12-1631(A)(1) and Rule 69, Arizona
Rules of Civil Procedure, Judgment Debtors Donald Cox, Catherine Cox, non- party Prescott
Valley Growers, LLC, non- party High C's LLC, non-party Rain Down, LLC and non-party

(X) Pits/Atty J. Coughlin () Arb w/file
(X) Deft/Atty muqrab TOTAL 0
() _____ () Arbitr _____
() Disp Clk _____ () Other _____
w/file

1 James Michael Cox, produce the following documents and information to Judgment Creditor's
2 counsel **within four weeks from the entry of this order:**

3
4 1. If there are any suits, actions, or legal proceedings of any kind against you
5 pending and undetermined, provide documentation to the Judgment Creditors' counsel regarding same and be prepared to state the full particulars to each.

6 2. Other than the judgments recorded by Judgment Creditor, are there any
7 judgments on record against you? Provide documentation to the Judgment Creditor's counsel
8 regarding any other judgments recorded against you.

9 a. What amount and where?

10 b. Have payments been made on account by you or by any third party for
11 you?

12 c. By what person?

13 d. Was satisfaction recorded?

14 e. If answer to item d. is "No," state why.

15 3. Provide all documentation to the Judgment Creditors' counsel regarding any
16 supplementary proceedings on any of these judgments pending against you.

17 4. Provide all documentation to the Judgment Creditors' counsel regarding any
18 judgment creditor's action that may have been commenced against you.

19 5. Provide all documentation to the Judgment Creditors' counsel regarding any
20 interest you may have in real estate in this state or elsewhere.

21 a. Are you entitled to any reversion, remainder, or contingent interest in
22 real estate; or is any real property held in trust for you? If so, provide the
23 documentation to the Judgment Creditors' counsel regarding your entitlement.

24 b. Do you own any leasehold or have you any interest in any lease of real
25 property? If so, provide documentation to the Judgment Creditors' counsel
regarding your leasehold or interest in lease of real property.

c. Do you lease any real property? If so, provide documentation to the
Judgment Creditors' counsel regarding any lease of real property.

d. Have you a lien on any interest in or under a lien on real property? If so,
provide documentation to the Judgment Creditors' counsel regarding any and all
liens.

6. Provide all documentation to the Judgment Creditors' counsel regarding an
interest you may have in any will or trust.

a. Have you recently received any money or property under any will by
inheritance? If so, provide information to the Judgment Creditors' counsel
regarding your receipt of money or property recently inherited.

b. If the answer to item a. is "Yes," state disposition.

1 7. Provide all documentation to the Judgment Creditors' counsel regarding all real
2 or personal property you own in this state.

3 a. Have you made any transfers of same and to whom? Provide
4 information to the Judgment Creditors' counsel regarding any transfers of real
5 or personal property in this state?

6 b. State circumstances.

7 8. Provide all documentation to the Judgment Creditors' counsel regarding any
8 property you have outside the state.

9 9. Provide all documentation to the Judgment Creditors' counsel regarding any
10 interest you have in mortgages on real or personal property or other investments, such as
11 stocks, bonds, dividend certificates, interest coupons, certificates of deposit, promissory notes,
12 drafts, or checks.

13 10. Provide all documentation to the Judgment Creditors' counsel regarding any
14 interest you have in any pension, patent, copyright, or invention, or in any royalties.

15 11. Provide all documentation to the Judgment Creditors' counsel regarding your
16 ownership of a seat in any stock, commodity, or other commercial exchange.

17 12. Provide all documentation to the Judgment Creditors' counsel regarding any
18 interest you have in any right or interest or any prospect of pecuniary advantage under any
19 contract or any interest in any suit in the courts of this or any other state, or in the federal
20 courts.

21 13. Provide all documentation to the Judgment Creditors' counsel regarding any
22 judgments in your favor in any action by or against you, or any judgments assigned to you.

23 14. Provide all documentation to the Judgment Creditors' counsel regarding any
24 insurance on your life.

25 a. To whom was same made payable?

 b. Have the beneficiaries changed?

 c. If so, when and who are the present beneficiaries?

 15. Provide all documentation to the Judgment Creditors' counsel regarding any
policy on the life of another in which you are the beneficiary.

 16. Provide all documentation to the Judgment Creditors' counsel regarding any
property you had at the time when the debt for which this judgment was secured was
contracted. Trace the disposition of this property.

 17. Where do you live?

 a. How long have you lived there?

 b. Who owns the property?

- 1 c. How are they related to you?
2 d. Who provided the funds to purchase this residence?
- 3 18. Are you a member of any club?
4 a. What are the dues?
5 b. Are they paid?
- 6 19. Provide all documentation to the Judgment Creditors' counsel regarding your
7 salary or income.
- 8 20. Provide all documentation to the Judgment Creditors' counsel regarding any
9 uncollected debts or other money coming to you.
- 10 21. Identify all businesses in which you have an interest.
11 a. Where is the business located?
12 b. What is your ownership interest?
13 c. How long have you had such an interest?
14 d. Produce all documents, including electronically stored information
15 concerning these businesses, such as QuickBooks, for the past 12 years.
- 16 22. What is your occupation?
- 17 23. Are you married?
18 a. Have you a family?
19 b. How large?
20 c. How many are dependent on you?
21 d. With whom do you live?
- 22 24. Provide all Federal and State tax returns for the years 2007 to 2017.
- 23 25. Provide all bank statements for the years 2007 to the present regarding all of
24 your bank accounts.
25 a. In which banks do you have an account(s)?
a. Identify the account numbers for all your bank accounts.
c. When did you make your last deposit?
d. When did you draw your last check?
- 26 26. Provide all documentation to the Judgment Creditors' counsel regarding any
27 property that you have pledged or pawned.
- 28 27. Provide all documentation to the court regarding whether you own or rent the
29 place where you live.
a. Who owns the furniture in it?
b. What does it consist of?
- 30 28. Provide all documentation to the Judgment Creditors' counsel regarding your

1 will and estate plan.

2 29. Provide all documentation to the Judgment Creditors' counsel regarding the
3 money you have spent since the service of this order.

4 30. Had you, **at the time of the service of this order**, any rights, real, or personal
5 property, money, debts, claims, mortgages, leases, causes in action, judgments, insurance,
6 watches, jewelry, checks, notes, bills of exchange, bonds, stocks, or certificates; any interest in
7 a contract, patent, copyright, invention or royalties, **which you are not now possessed of**, or in
8 which you now have no interest, or a lesser interest? If yes, provide all information to the
9 Judgment Creditors' counsel regarding same.

10 IT IS FURTHER ORDERED that Judgment Debtors appear before the Honorable
11 Don Stevens, Yavapai County Superior Court, 120 S. Cortez, Prescott, AZ 86303,
12 Room # 304 on the 16th day of October, 2017 at 1:30 p.m. to answer
13 questions about the following documents and information.

14 **YOU ARE HEREBY NOTIFIED THAT ANY FAILURE TO OBEY THIS ORDER TO**
15 **APPEAR AND PRODUCE THE INFORMATION IDENTIFIED ABOVE, WITHOUT**
16 **ADEQUATE EXCUSE, MAY BE DEEMED A CONTEMPT OF THIS COURT, AND A**
17 **CIVIL ARREST WARRANT MAY BE ISSUED. A CIVIL ARREST IS AN ORDER**
18 **DIRECTING ANY POLICE OFFICER IN ARIZONA TO ARREST YOU AND BRING**
19 **YOU BEFORE THIS COURT FOR FUTURE PROCEEDINGS.**

20 DONE IN OPEN COURT this 7th day of September 2017.

21 Don Stevens
22 _____
23 Honorable Judge of the Superior Court
24
25