

SUPERIOR COURT, STATE OF ARIZONA, IN AND FOR THE COUNTY OF YAVAPAI

<p>JOHN B. CUNDIFF and BARBARA C. CUNDIFF, husband and wife; ELIZABETH NASH, a married woman dealing with her separate property; KENNETH PAGE and KATHRYN PAGE, as Trustee of the Kenneth Page and Catherine Page Trust,</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>DONALD COX and CATHERINE COX, husband and wife,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">Case No. P1300CV20030399</p> <p style="text-align: center;">RULING</p>	<p style="text-align: right;">FILED</p> <p>DATE: <u> AUG 28 2012 </u></p> <p><u> 9 </u> O'Clock <u> A </u> . M.</p> <p style="text-align: center;">SANDRA K. MARKHAM CLERK</p> <p>BY: <u> SHEETAL PATIL </u> Deputy</p>
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<p>HONORABLE KENTON D. JONES</p> <p>DIVISION 4</p>	<p>BY: Kathleen Cartier, Judicial Assistant</p> <p>DATE: August 28, 2012</p>
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THIS MATTER comes before the Court on, "Defendants' Cox Motion for a Site Inspection," filed on June 5, 2012, with the, "Response to Defendants' Cox Motion for a Site Inspection," filed on June 19, 2012, and, "Defendants' Cox Reply to Response to Motion for a Site Inspection," filed on July 2, 2012, and

IN CONSIDERATION and review of the above-referenced pleadings, the Court finds that Defendants Cox, within their Reply, recognize that it is an onsite inspection by the finder of fact that would serve the greatest benefit if an onsite inspection were to occur, and the jury in this matter will not be picked until April 16, 2013.

That being the case, the Defendants' Motion is **DENIED** without prejudice to be re-raised closer to trial and when the matter can be addressed to the Court with greater specificity than is currently included within the pending Motion, and the actual coordination of the event would be meaningful if the Court were then to grant that Motion.

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