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AUG 02 2004  
JEANNE HICKS, Clerk  
BY Justin Deputy

1 Jeffrey R. Adams, #018959  
2 MUSGROVE, DRUTZ & KACK, P.C.  
3 1135 Iron Springs Road  
4 Prescott, Arizona 86305  
5 (928) 445-5935

6 Attorneys for Defendants

7 **IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**  
8 **IN AND FOR THE COUNTY OF YAVAPAI**

9 JOHN B. CUNDIFF and BARBARA C.)  
10 CUNDIFF, husband and wife;  
11 ELIZABETH NASH, a married woman)  
12 dealing with her separate property);  
13 KENNETH PAGE and KATHRYN)  
14 PAGE, as Trustee of the Kenneth Page)  
15 and Catherine Page Trust,

16 Plaintiffs,

17 v.

18 DONALD COX and CATHERINE)  
19 COX, husband and wife,

20 Defendants.

CA [REDACTED]  
DIVISION 1 [REDACTED]

**STIPULATION FOR EXTENSION  
OF TIME FOR DEFENDANTS TO  
RESPOND TO PLAINTIFFS'  
MOTION FOR SUMMARY  
JUDGMENT**

21 The parties, through undersigned counsel, hereby stipulate and agree that Defendants Donald  
22 and Catherine Cox ("Defendants") are granted an extension of time in which to file their Response  
23 to Plaintiffs' Motion for Summary Judgment re: Wavier of Restrictive Covenant. Defendants  
24 Response shall be due within seven days following receipt of the deposition transcripts of Plaintiffs'  
25 John B. Cundiff, Barbara C. Cundiff and Elizabeth Nash. Depositions of said Plaintiffs' are presently  
26 scheduled for August 25 and 26, 2004.

27 DATED this 2nd day of August, 2004.

28 FAVOUR, MOORE & WILHELMSSEN, P.A.

By Marguerite Kirk  
David K. Wilhelmsen  
Marguerite A. Kirk  
Attorneys for Plaintiffs

MUSGROVE, DRUTZ & KACK, P.C.

By Jeffrey R. Adams  
Attorneys for Defendants

DIV. 1  
AUG 04 2004

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1 A copy of the foregoing  
was hand-delivered this  
2 2<sup>nd</sup> day of August, 2004 to:

3 Honorable David L. Mackey  
Yavapai County Superior Court  
4 Division 1  
Yavapai County Courthouse  
5 Prescott, Arizona 86301

6 By: *Marguerite Wick*  
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