

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

<p>JOHN B. CUNDIFF and BARBARA C. CUNDIFF, husband and wife; BECKY 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 align="right">Plaintiff,</p> <p align="center">-vs-</p> <p>DONALD COX and CATHERINE COX, husband and wife,</p> <p align="right">Defendant.</p>	<p>Case No. CV2003-0399</p> <p>RULING RE: MOTION FOR RECONSIDERATION</p>	<p align="center">FILED</p> <p>DATE: <u>APR 27 2005</u></p> <p><u>3</u> O'Clock <u>2</u> .M.</p> <p align="center">JEANNE HICKS, CLERK DYH ANDERSON</p> <p>BY: _____ Deputy</p>
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<p>HONORABLE DAVID L. MACKEY</p> <p>DIVISION 1</p>	<p>BY: Cheryl Wagster Judicial Assistant</p> <p>DATE: April 26, 2005</p>
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The Court has received and reviewed Plaintiffs' Motion for Reconsideration Re Denial of Summary Judgment on Affirmative Defense of Waiver.

IT IS ORDERED Plaintiffs' Motion for Reconsideration Re Denial of Summary Judgment on Affirmative Defense of Waiver is **DENIED**.

cc: David K. Wilhelmsen – Favour Moore & Wilhelmsen, P.O. Box 1391, Prescott, AZ 86302
Jeffrey Adams – Musgrove, Drutz & Kack, 1135 Iron Springs Road, Prescott, AZ 86302

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