

IN THE  
**Court of Appeals**  
STATE OF ARIZONA  
DIVISION ONE

DOMINICK and LYNN MULTARI,	)	Court of Appeals
husband and wife,	)	Division One
	)	No. 1 CA-CV 06-0221
Plaintiffs/Appellees/	)	
Cross-Appellants,	)	Maricopa County
	)	Superior Court
v.	)	No. CV 2005-009405
	)	
RICHARD D. and CARMEN GRESS, as	)	
trustees under agreement dated	)	
April 15, 1998,	)	
	)	
Defendants/Appellants/	)	
Cross-Appellees.	)	
_____	)	

**MANDATE**

TO: The Honorable Maricopa County Superior Court, Arizona in relation to Cause No. CV 2005-009405.

GREETING: The above cause was presented in your Court and was brought before Division One of the Court of Appeals of the State of Arizona in the manner prescribed by law. This Court rendered its OPINION and caused the same to be filed on April 24, 2007.

The motion for reconsideration was denied and notice thereof was given on May 25, 2007. A petition for review was filed. The record was forwarded to the Arizona Supreme Court. By order, dated January 8, 2008, the Arizona Supreme Court denied the petition for review. Arizona Supreme Court No. CV-07-0295-PR.

NOW, THEREFORE, YOU ARE COMMANDED that such proceedings be had in said cause as shall be required to comply with the decision of this court, a copy of the OPINION being attached hereto.

**COSTS: \$246.00**

IT IS ORDERED that the original of the foregoing MANDATE and a copy of the OPINION of the Court were mailed to the Clerk of Maricopa County Superior Court, Arizona on January 31, 2008. A copy of the MANDATE and OPINION was mailed to the Honorable Janet E Barton, Judge, and a copy of the MANDATE was mailed on said day to

each party appearing or the attorneys of record.

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(SEAL)

PHILIP G. URRY, CLERK

By \_\_\_\_\_  
Deputy Clerk

January 31, 2008

Michael K Jeanes, Clerk  
Maricopa County Superior Court  
201 West Jefferson Street  
Phoenix, Arizona 85003

Dear Mr. Jeanes:

RE: 1 CA-CV 06-0221

MULTARI v. GRESS  
Maricopa County Superior Court  
CV 2005-009405

The following are enclosed in the above entitled and numbered cause:

Original MANDATE  
Copy of OPINION  
Instruments/Minute Entries: 2 Volumes combined  
Transcripts: (MAR) CV 2005-009405: September 19, 2005

PHILIP G. URRY, CLERK

By \_\_\_\_\_  
Deputy Clerk

Enclosures (as noted)  
c:  
John M O'Neal  
David E Funkhouser III

Timothy J Thomason  
Charles H Oldham  
Hon Janet E Barton, Judge