

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2014-011845

03/20/2017

HONORABLE KERSTIN LEMAIRE

CLERK OF THE COURT  
A. Arnold  
Deputy

DONA LISA JOHNSON

JAMES ROBERT ECKLEY

v.

BERNARD POTOFF, et al.

LYN ANNE BAILEY

MARIA R KUPILLAS  
RICHARD V MACK  
ROBERT J SPURLOCK  
THOMAS A STOOPS

**RULING**

As for “Defendant’s Motion to Strike Portions of Unsigned Declarations of Plaintiff” filed December 6, 2016. The Court has reviewed the Motion and Response and the supporting documents filed along with said briefs. The Court has also benefited from the arguments of counsel and has carefully considered the applicable case law, statutes and rules of court.

The Court will accept Plaintiff’s Counsel’s avowal that he erred in failing to renumber the briefs pages when he edited the declaration before filing it. The Court will also accept Plaintiff’s avowal that he inadvertently attached the declaration to wrong pleadings. Given the number of pleadings filed in this matter at about the same time, this is plausible.

**IT IS ORDERED** denying the “Motion to Strike Portions of Unsigned Declarations of Plaintiff.”

With regard to Counsel exceeding page limits in his Response especially by filing the Supplemental Response despite the Court’s order to the contrary, the Court will disregard the excess pages as a sanction.