

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF PROHIBITING)
GRANT GOODMAN AND TERI GOODMAN)
FROM FILING ANY LAWSUIT IN MARICOPA)
COUNTY WITHOUT OBTAINING PRIOR)
PERMISSION FROM THE COURT)
_____)

ADMINISTRATIVE ORDER
NO. 2014-029

On January 30, 2014, Judge Katherine Cooper referred a request for an administrative order to preclude Grant Goodman and Teri Goodman from filing future lawsuits without prior court approval to the Presiding Judge for a ruling.

Courts “possess inherent authority to curtail a vexatious litigant's ability to initiate additional lawsuits.” *Madison v. Groseth*, 230 Ariz. 8, 15, 279 P.3d 633, 639 (App. 2012). This session, the Arizona House of Representatives has recognized that “Arizona courts possess inherent authority to curtail a vexatious litigant's ability to initiate additional lawsuits” (see Fact Sheet for H.B. 2021), and as a result has proposed a bill to codify the authority of the Presiding Judge to designate a litigant as vexatious (see House Bill 2021).

The filing excesses of vexatious litigants interfere with the orderly administration of justice by diverting judicial resources from those cases filed by litigants willing to follow court rules and those meritorious cases that deserve prompt judicial attention. See *Acker v. CSO Chevira*, 188 Ariz. 252, 934 P.2d 816 (App. 1997). Filing abuses are normally controlled by rules of professional responsibility applicable to attorneys and by imposition of attorney fees or other monetary sanctions. Unfortunately, these tools are ineffective when dealing with a self-represented litigant. As a result, on rare occasions, this Court has issued orders prohibiting litigants who have proven themselves to be vexatious from pursuing additional litigation without prior leave of the Court’s Presiding Judge or his/her designee.

The Court has considered the Motion for Administrative Order Precluding Grant H. Goodman and Teri B. Goodman From Filing Future Lawsuits Without Prior Court Approval, and joinders, response, and reply thereto. The Court has also reviewed the cases filed by Grant and Teri Goodman in this Court and finds as follows.

This Court has previously found that Mr. and Mrs. Goodman have filed the cases for delay or harassment. For example, in CV 2008-031668, the Court issued a minute entry on March 25, 2009, stating:

As to Defendant Comerica Bank's request for attorneys' fees and sanctions pursuant to A.R.S. §12-349, the Court finds that Plaintiffs have brought this claim without substantial justification. The Court further finds that Plaintiffs have brought this claim solely or primarily for delay or harassment.

As further evidence of the vexatious nature of Mr. and Mrs. Goodman, they have filed nine civil actions in their personal capacities and/or on behalf of their business interests since 2005. In those cases, Mr. and Mrs. Goodman routinely filed the actions against the same individuals or entities. The following list provides examples of the civil actions filed against the same defendants in recent years by Mr. and Mrs. Goodman:

- Greenberg Traurig, LLP. was named as a defendant in five actions. See CV2008-014790, CV2008-014791, CV2008-031668, CV2008-033330, and CV2013-015096.
- Mariscal Weeks McIntyre & Friedlander, P.A. was named as a defendant in four actions. See CV2008-014790, CV2008-014791, CV2008-031667, and CV2013-015096.
- California Portland Cement Company was named as a defendant in four actions. See CV2006-013031, CV2008-014790, CV2008-014791, and CV2008-031667.
- Several entities were named in three actions. See CV2008-014790, CV2008-014791, and CV2008-031667 (naming Burch & Cracchiolo, P.A.); CV2008-014790, CV2008-014791, and CV2008-033330 (naming Michael Carmel, Ltd.); CV2008-014790, CV2008-014791, and CV2008-031668 (naming Comerica Bank); CV2008-014790, CV2008-014791, and CV2008-031667 (naming Bombardier Capital, Inc.); and CV2008-014790, CV2008-014791, and CV2008-031667 (naming Empire Southwest, LLC.).
- Several individuals and entities were named in two actions. See CV2005-003271 and CV2008-033330 (naming Quarles & Brady); CV2006-013031 and CV2013-015096 (naming Honorable Colin F. Campbell); CV2006-013031 and CV2013-015096 (naming Michael Rubin); and CV2005-003272 and CV2006-013031 (naming Robert Porter).

Mr. and Mrs. Goodman have routinely filed civil actions alleging the same causes of actions, same facts, and same requested relief. In multiple cases, Mr. and Mrs. Goodman filed a new civil action which attempted to vacate the rulings and judgments from previous court actions involving Mr. and Mrs. Goodman, alleging Rule 60(c)(4) of the Arizona Rules of Civil Procedure, the Savings Clause, and fraud allowed such relief. See CV2006-013031, CV2008-014791, CV2008-031668, and CV2008-033330. The plaintiffs were not successful in any of these cases. The Court of Appeals affirmed the dismissal of two of these cases. See CV2008-031668 and CV2008-033330.

Based on a review of all the cases filed by Mr. and Mrs. Goodman, the Court finds Mr. and Mrs. Goodman to be vexatious litigants and issues the following orders to limit each one's ability to file future lawsuits, motions, and requests for relief to the extent necessary to curtail the improper conduct. The Court finds the orders set out

below to be the least restrictive orders that will adequately address Mr. and Mrs. Goodman's established pattern of abuse. Therefore,

IT IS ORDERED as follows:

1. Neither Grant Goodman nor Teri Goodman may file any new causes of action after the date of this order without leave of the Civil Presiding Judge or his/her designee.
2. Neither Grant Goodman nor Teri Goodman may file any new pleading, motion, or any other document in any non-criminal case in which judgment concluding the case has been entered without leave of the Civil Presiding Judge or his/her designee.¹

Any motion for leave to file shall be captioned "Application Pursuant to Court Order Seeking Leave to File." Grant Goodman and Teri Goodman must either cite this order in the application, or attach as an exhibit a copy of this order.

If approval for filing a new action is granted, the Clerk of Court may accept subsequent filings in that cause number from Grant Goodman or Teri Goodman.

Dated this 21st day of March, 2014.

/s/ Norman J. Davis

Norman J. Davis
Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Michael K. Jeanes, Clerk of Superior Court
Hon. Janet Barton, Associate Presiding Judge
Hon. John Rea, Civil Presiding Judge
Hon. Katherine Cooper, Assigned Judge, CV2013-015096
Raymond L. Billotte, Judicial Branch Administrator
Phil Knox, Deputy Court Administrator
Peter Kiefer, Civil Court Administrator
Grant Goodman
Teri Goodman

¹ Mr. and Mrs. Goodman are not required to seek leave of Court before filing a "Notice of Appeal".