

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

IN THE MATTER OF PROHIBITING
STEPHEN EDWARDS FROM FILING
ANY LAWSUIT IN MARICOPA COUNTY
WITHOUT OBTAINING PRIOR
PERMISSION FROM THE COURT

ADMINISTRATIVE ORDER
No. 2019-029

This matter was referred by the Honorable Hugh Hegyi to consider issuing an administrative order declaring Stephen Edwards a vexatious litigant. Upon review of other matters filed in this Court, and considering all the matters presented, the Court makes the following findings and orders.

Pursuant to A.R.S. § 12-3201, the Presiding Judge of the Superior Court may designate a pro se litigant who engages in vexatious conduct as a vexatious litigant. In addition, 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). 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). A.R.S. § 12-3201(E) defines vexatious conduct to include repeated filing of court actions solely or primarily for the purpose of harassment, filing claims unreasonably expanding or delaying court proceedings, bringing court actions without substantial justification, and filing claims or requests for relief that have been the subject of previous rulings by a court in the same litigation.

A motion to declare Mr. Edwards a vexatious litigant was filed by the plaintiffs in CV2017-003266, *Lakewood Community Association v. 1630 S 36th L.L.C., et al.* Mr. Edwards, as the sole owner of 1630 S 36th L.L.C., is the defendant in the case. After notice to Mr. Edwards, Judge Hegyi held an evidentiary hearing on October 12, 2018. Mr. Edwards did not appear at the hearing or otherwise respond to the motion. On December 12, 2018, Judge Hegyi issued findings of fact and conclusions of law that are adopted and incorporated herein in this administrative order. (See minute entry dated December 12, 2018 in *The Lakewood Community Association v. 1630 S. 36th St. L.L.C., et al.*)

The Court is aware of forty-one civil cases in which Mr. Edwards has been a party in this Court; in none of the cases is there any record that he has been successful in any of his claims. As Judge Hegyi finds in his minute entry, since 2008 Mr. Edwards has brought the following twenty-four civil actions as a plaintiff in this Court—many involving the same set of defendants—none of which have been successful in any way:

1. CV2008-019061, *Stephen Edwards v. Alan Sfadi/Access Recover & Repossession*, filed August 8, 2008. Lawsuit against vehicle repossession of a SuperLimo vehicle. Dismissed.
2. ST2009-000234, *Stephen Edwards v. Maricopa County*, filed October 1, 2009. Unsuccessful challenge to property tax assessment.
3. ST2009-000235, *Stephen Edwards v. Maricopa County*, filed October 1, 2009. Unsuccessful challenge to property tax assessment.
4. CV2012-090065, *Stephen Edwards v. Martin Smith, et. al.*, filed January 1, 2012. Defamation and emotional distress claims against witnesses who testified against him in a lawsuit (CV2010-095487) filed against Mr. Edwards by his community association. Dismissed by stipulation of the parties on June 28, 2012.
5. CV2012-090245, *Stephen Edwards v. Michael Black*, filed February 8, 2012. Defamation claims against Mr. Black, an electrical contractor, for testimony by Mr. Black in CV2011-055841. (In the prior case, Mr. Black sued Mr. Edwards for breach of contract and won.)
6. CV2012-092110, *Stephen Edwards v. Innovative Cabinetry Designs, et. al.*, filed March 23, 2012. Alleged breach of contract and emotional distress claims against contractor. Motion to dismiss granted to defendant.
7. CV2012-095984, *Stephen Edwards v. Magnus Title Agency*, filed October 12, 2012. Mr. Edwards sued his title company for failure to disclose judgments against him to a lender. Dismissed.
8. CV2012-096539, *Stephen Edwards v. CIT Group*, filed October 23, 2012. Suit for breach of contract and negligence after defendant CIT Group attempted to obtain an outstanding judgment against Mr. Edwards. The Court of Appeals affirmed judgment in favor of CIT.
9. CV2012-096712, *Stephen Edwards v. Title Security Agency of Pinal County*, filed November 14, 2012. Suit brought against another title company for failing to disclose judgments against him to a lender. Dismissed.
10. CV2012-096901, *Stephen Edwards v. American Express, et al.*, filed October 31, 2012. Suit for breach of contract (removed to federal court).
11. CV2013-090995, *Stephen Edwards v. American Express*, filed October 17, 2013. Suit for negligence and breach of fiduciary duty. Dismissed.
12. CV2013-093124, *Stephen Edwards v. Title Security Agency of Pinal County*, filed April 25, 2013. Mr. Edwards re-sued the title company for the same facts in CV2012-096712. Dismissed.

13. CV2013-093125, *Stephen Edwards v. Magnus Title Agency*, filed April 25, 2013. Mr. Edwards re-sued the title company for same facts in CV2012-095984. Dismissed.
14. CV2015-009256, *Stephen Edwards v. Mike & Patricia Gardner*, filed December 28, 2015. Suit against his neighbors for defamation, infliction of emotional distress, libel, and slander regarding property issues. Arbitrator found in favor of defendants.
15. CV2015-009257, *Stephen Edwards v. Lakewood Community Assoc.*, filed December 28, 2015. Suit against his HOA for charging unreasonable fees and assessments, defamation, and using false evidence and testimony to obtain a judgment against him. Dismissed.
16. CV2015-012081, *Stephen Edwards v. Best Buy Co. of Minnesota, Inc.*, filed December 15, 2015. Alleges he was sexually assaulted by Best Buy employee who had grabbed and hugged him. Removed to federal court.
17. CV2015-094117, *Stephen Edwards v. Lakewood Community Assoc.*, filed July 21, 2015. Sued HOA for same facts as in his counterclaims in CV2014-092726. Dismissed.
18. CV2015-094118, *Stephen Edwards v. Sandra Smith, Maureen Mulvaney*, filed July 21, 2105. Same facts from CV20124-092726. Dismissed.
19. CV2016-002985, *Stephen Edwards v. Maureen Mulvaney*, filed April 14, 2016. Alleged neighbor gave permission to trespass on his property. Dismissed.
20. CV2016-002986, *Stephen Edwards v. Bob Gotlieb*, filed April 14, 2016. Alleged trespass against neighbor for parking on his property. Dismissed.
21. CV2016-003147, *Stephen Edwards v. PPH Corporation*, filed May 10, 2016. Sued his mortgage company alleging breach of contract, deceptive trade practices, tortious interference, breach of fiduciary duty, and unjust enrichment for failing to provide payoff amount on property on two occasions. Removed to federal court.
22. CV2016-004424, *Stephen Edwards v. James Smith, et. al.*, filed February 5, 2016. Defamation lawsuit against members of Lakewood HOA Board. Partially dismissed.
23. CV2017-012833, *Stephen Edwards v. PPH Corporation*, filed October 3, 2017. Sued his mortgage company for allegedly providing plaintiff with two different payoff amounts on property, allegedly causing him to lose two prospective buyers. Dismissed.
24. CV2018-009743, *Stephen Edwards v. PPH Corporation, et al.*, filed July 8, 2018. Identical claims as in CV2017-012833, above.

25.CV2018-013307, *Stephen Edwards v. Quinten Cupps, et al.*, filed October 23, 2018. Sued attorney for Lakewood Community Association for failing to accept payments toward lien; sued the Lakewood Community Association for breach of contract and fiduciary duty; sued Judge Hegyi's judicial assistant, alleging fraud to assist other defendants in obtaining a judgment against him. These claims are all related to a lawsuit brought against him by Lakewood Community Association, CV2017-003266. Not yet resolved.

Mr. Edwards has failed to prevail in any of these cases. The lawsuits are often brought against people who have taken legal action against Mr. Edwards. The lawsuits often raise claims and issues that have been previously adjudicated against Mr. Edwards in other cases. In addition, in this Court alone Mr. Edwards has had ten separate petitions for injunctions against harassment filed against him, including by the City of Mesa, Falcon Field airport, his prior attorney, and the judicial assistant of another Superior Court judge.

Furthermore, as Judge Hegyi points out in great detail in his minute entry, within his lawsuits Mr. Edwards has filed multiple pleadings that are harassing, threatening, insulting to both the Court and other litigants and often vulgar. In Judge Hegyi's case alone, Mr. Edwards has also filed numerous pleadings that are repetitive and without legal merit, such as constantly moving to strike pleadings filed by other parties, motions for change of judge, a motion to criminally prosecute other parties to the lawsuit, and numerous motions for reconsideration of the rulings of the Court. These pleadings require responses from other parties and the Court; the case is less than two years old, and currently has 335 docketed pleadings, orders, and minute entries.

Judge Hegyi's minute entry also points out that in some of the litigation in which Mr. Edwards is a party, it is in his capacity as the sole owner, member, or shareholder of another entity. These entities are "1630 S. 36th LLC," "Stephen S. Edwards, Inc.," "Super Trust Fund u/t/d/June 15, 2001," "Mesa Blue, LLC," and "Gucci Blue, LLC."

For the reasons above, and the reasons enumerated at great length in Judge Hegyi's minute entry, the Court finds that Mr. Edwards' is engaging in vexatious conduct as defined in A.R.S. § 12-3201.

The Court may issue an order limiting such a litigant'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. Edwards' established pattern of abuse. Therefore,

IT IS ORDERED as follows:

1. Mr. Edwards, either in his name or the names of the wholly owned subsidiaries "1630 S. 36th LLC," "Stephen S. Edwards, Inc.," "Super Trust Fund u/t/d/June 15, 2001," "Mesa Blue, LLC," and "Gucci Blue, LLC" may not file any new causes of action after the date of this order without leave of the Civil Presiding Judge or his/her designee.

2. Mr. Edwards may not file any further pleading or motion in any of his current lawsuits without first seeking leave from the judicial officer assigned to that lawsuit.

3. Any motion for leave to file any lawsuit, pleading or motion shall be captioned "Application Pursuant to Court Order Seeking Leave to File." Mr. Edwards must either cite this order in his application, or attach as an exhibit a copy of this order.

If approval for filing a new action by Mr. Edwards is granted, the Clerk of Court may accept subsequent filings in that cause number from Mr. Edwards.

Dated this 26th day of February, 2019.

/s/ Janet E. Barton
Honorable Janet E. Barton
Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Jeffrey Fine, Clerk of the Superior Court
Hon. Pamela Gates, Civil Department Presiding Judge
Hon. Connie Contes
Hon. Christopher Coury
Hon. Colleen French
Raymond L. Billotte, Judicial Branch Administrator
Stephen Edwards
The Lakewood Community Association