

1 John Furlong, Bar No. 018356
2 General Counsel
3 State Bar of Arizona
4 4201 N. 24th Street, Suite 100
5 Phoenix, AZ 85016-6288
6 (602) 340-7236
7 John.Furlong@staff.azbar.org

8 **IN THE SUPREME COURT**
9 **STATE OF ARIZONA**

10 In the Matter of:

11 **PETITION TO AMEND RULE 67**
12 **OF THE ARIZONA RULES OF**
13 **CIVIL PROCEDURE**

Supreme Court No. R-13-0044

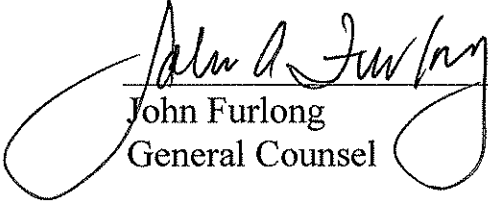
14 **COMMENT OF**
15 **THE STATE BAR OF ARIZONA**

16 The State Bar of Arizona supports Petition R-13-0044 for the reasons stated
17 in the Petition. The State Bar does believe that it may be appropriate to enact a rule
18 aimed more broadly at the problem of vexatious litigants in the event the petition is
19 successful. Such a rule may go beyond addressing costs (or not address costs at all),
20 as the current version of Rule 67(d)-(f) does now. This seems particularly desirable
21 given that there is currently no rule dealing specifically with the issue of vexatious
22 litigants.

23 In the meantime, the State Bar agrees with the Petitioners that current
24 provisions of Rule 67(d), (e) and (f) should be eliminated.
25

1 These provisions are not sufficiently targeted to address vexatious litigants and do
2 not appear well-suited to address any other specific issue relating to costs.
3

4 RESPECTFULLY SUBMITTED this 6th day of May, 2014.
5

6
7
8 
9 John Furlong
General Counsel

10
11
12 Electronic copy filed with the
13 Clerk of the Arizona Supreme Court
14 this 6th day of May, 2014.

15
16
17
18
19
20
21
22
23
24
25
by: 