

Exhibit A: Redlined Versions of the Proposed Amendments

When the name of the defendant is unknown to the plaintiff, the defendant may be fictitiously designated in the pleadings or proceeding by any name. When the defendant's true name is discovered the pleading or proceeding may be amended accordingly. If the defendant's true name is not discovered before judgment, the court may enter judgment against the factiously named defendant if the court finds: (1) the defendant received service in accordance with these Rules and (2) the defendant was reasonably identified such that the defendant knew or should have known of the pleading or proceeding.

Ariz. R. Civ. P. 10(f)

The proper name of every plaintiff and of every defendant. If a defendant's name is unknown, a complaint may identify the defendant by a fictitious name, and the complaint may be amended when the defendant's true name becomes known. If the defendant's true name is not discovered before judgment, the court may enter judgment against the factiously named defendant if the court finds: (1) the defendant received service in accordance with these Rules and (2) the defendant was reasonably identified such that the defendant knew or should have known of the pleading or proceeding. This paragraph also applies to defendants in a third-party complaint.

J.C.R.C.P. 110(b)(1).

Exhibit B: Clean Versions of the Proposed Amendments

When the name of the defendant is unknown to the plaintiff, the defendant may be fictitiously designated in the pleadings or proceeding by any name. When the defendant's true name is discovered, the pleading or proceeding may be amended accordingly. If the defendant's true name is not discovered before judgment, the court may enter judgment against the fictitiously named defendant if the court finds: (1) the defendant received service in accordance with these Rules, and (2) the defendant was reasonably identified such that the defendant knew or should have known of the pleading or proceeding.

Ariz. R. Civ. P. 10(f)

“The proper name of every plaintiff and of every defendant. If a defendant's name is unknown, a complaint may identify the defendant by a fictitious name, and the complaint may be amended when the defendant's true name becomes known. If the defendant's true name is not discovered before judgment, the court may enter judgment against the factiously named defendant if the court finds: (1) the defendant received service in accordance with these Rules and (2) the defendant was reasonably identified such that the defendant knew or should have known of the pleading or proceeding. This paragraph also applies to defendants in a third-party complaint.”

J.C.R.C.P. 110(b)(1).