

BEFORE THE PRESIDING DISCIPLINARY JUDGE

**IN THE MATTER OF A
MEMBER OF THE STATE BAR
OF ARIZONA**

**DAVID S. GINGRAS
Bar No. 021097,**

Respondent.

PDJ 2026-9010

**ORDER RE: MOTION
TO EXCEED PAGE
LIMITS AND PDJ
INCLINATION FOR
PROCEDURAL
SCHEDULE FOR
MOTION TO
DISMISS/ MOTION
FOR SUMMARY
JUDGEMENT**

**[State Bar File Nos. 24-
1692, 24-1826, 24-2483, 24-
2819, 24-3080 and 25-1230]**

FILED APRIL 23, 2026

The Presiding Disciplinary Judge (“PDJ”) has reviewed the Respondent’s Motion for Leave to Exceed Page Limits (“Motion to Exceed”) filed April 14, 2026 (in regard to his Motion to Dismiss and, Alternatively, Motion for Summary Judgment), the State Bar’s Response to Respondent’s Motion for Leave to Exceed Page Limits (“Response”) filed April 20, 2026, Mr. Gingras’ Reply in Support of Respondent’s Motion for Leave to Exceed Page Limits (Reply) filed April 22, 2026, and the State Bar’s Motion to Strike Respondent’s Motion to Dismiss and, Alternatively, Motion for Summary Judgment (“Motion to Strike”) filed April 20, 2026.

The PDJ understands the State Bar’s concerns that Mr. Gingras’ Motion to Dismiss and, Alternatively, Motion for Summary Judgment exceeds the page limitation by “over 2-1/2 times that authorized by Rule 7.1(a)(3)”, Arizona Rules of Civil Procedure (“Ariz. R. Civ. P.”), (Response to Motion to Exceed Page Limits, page 1). The State Bar raises concerns in its Motion to Strike with regard to the

difference in the timing for a response for a general motion made pursuant to Rule 7.1(a) and such regarding a motion for summary judgment under Rule 56, Ariz. R. Civ. P., and the unique processing of a Motion to Dismiss pursuant to Arizona Revised Statutes (“ARS”) § 12-751.

IT IS ORDERED granting the Respondent’s Motion for Leave to Exceed Page Limits. However, the Respondent should not expect that future request(s) for such will be granted.

The PDJ notes that Respondent’s response time for the State Bar’s Motion to Strike has not expired, nor any State Bar Reply. Therefore, the PDJ will only rule on the Motion to Exceed and simply indicate her inclination regarding the Motion to Strike, withholding final ruling on that motion until briefing is complete.

The PDJ’s inclination is as follows:

While separate filings on the Respondent’s Motion to Dismiss and the alternative Summary Judgment Motion would have resolved the potential confusion raised in the State Bar’s Motion to Strike, the PDJ is inclined to proceed with issuing a procedural schedule regarding its review of the Respondent’s combined pleading, which will provide suspension of response by the State Bar for all portions of the Respondent’s Motion to Dismiss and, Alternatively, Motion for Summary Judgment filed April 14, 2026 until the PDJ issues ruling as to whether Respondent has established *prima facie* proof on the Motion to Dismiss. If the PDJ finds *prima facie* proof the order will address the State Bar to file a response per ARS § 12-751(B) and will hold the Motion for Summary Judgment in abeyance until resolution of the Motion to Dismiss. If the PDJ denies the Motion to Dismiss, the order will provide a time frame from the State Bar’s response to the Motion for Summary Judgment.

DATED this 23rd day of April, 2026.

Lisa A. VandenBerg
Hon. Lisa A. VandenBerg
Presiding Disciplinary Judge

Copy of the foregoing emailed
this 23rd day of April, 2026, to:

David S. Gingras (Respondent)

[REDACTED]

Marc J. Randazza

[REDACTED]

Respondent's Counsel

James D. Lee (Senior Bar Counsel)

Craig Henley (Senior Bar Counsel)

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by: CLopez