OFFICE OF THE PRESIDING DISCIPLINARY JUDGE
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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** **MOTION TO EXCEED PAGE LIMITATION** [State Bar Nos. 24-1692, 24-1826, 24-2483, 24-2819, 24-3080, and 25-1230]

Pursuant to Ariz. R. Civ. P. 7.1(a)(3) and 56(c)(3)(B)(iii), incorporated into disciplinary proceedings by Ariz. R. Sup. Ct. 48(b), the State Bar of Arizona moves for leave to exceed the page limitation for both the State Bar's Response to Motion for Summary Judgment (by 11 pages) and Controverting Statement of Facts and Separate Statement of Facts (by one page).

Ariz. R. Civ. P. 7.1(a)(3) provides 17 pages for both the initial and the responsive memoranda. Respondent's Motion was 46 pages. Removing the issues that have since been resolved by the Presiding Disciplinary Judge's ("PDJ's") Orders dated April 14, 2026, June 22, 2026, and September 25, 2026 leaves approximately 20 or so pages of Respondent's Motion. But, as explained in greater

detail in the State Bar's Response, Respondent's arguments on these points provides only minimal facts (*see, e.g.*, Response at 15, 20, and 25), requiring the State Bar to set out more factual detail than is typical for a response. In addition, the factual background for the violations arising out of Respondent's alleged presentation of false statements and testimony is extensive. *See* Response at 5-14. The State Bar attempted to streamline as much as possible, focusing on the most material facts and omitting other relevant facts and issues, such as the facts regarding Respondent's communications with Laura Owens regarding her draft affidavit (*see* Am. Compl. ¶¶ 137-38) and the Ethical Rule 3.3 Notice of Candor filed by Owens' prior counsel while Respondent was representing Owens (*see* Am. Compl. ¶¶ 151-57). Given the significance of the issues, however, and the fact that Respondent is seeking judgment as a matter of law, the State Bar wanted to ensure that it presented sufficient facts to establish a genuine issue for trial. The State Bar thus respectfully requests leave to submit its Response of 28 pages.

Ariz. R. Civ. P. 56(c)(3)(B)(iii) provides 17 pages for an opposing party's response to the movant's statement of facts, and separate statement of facts. The State Bar endeavored to stay within the page limit but exceeded the limit by one page. This is, again, due to the State Bar's need to provide a more complete statement of the facts material to the three remaining issues and, in particular, the extensive facts relevant to the false statements and testimony by Owens. The State

Bar would have preferred to present more detail on these issues but endeavored to remain as close to the page limit as it believed reasonably possible. The State Bar believes that the one additional page it is requesting is a reasonable extension under the circumstances and thus asks the PDJ to grant this request.

For the foregoing reasons, the State Bar asks the PDJ to grant leave to the State Bar to file a 28-page Response to Motion for Summary Judgment, and an 18-page Controverting Statement of Facts and Separate Statement of Facts.

DATED this 13th day of October, 2026.

STATE BAR OF ARIZONA

/s/Kelly A. Goldstein
Kelly A. Goldstein
Senior Bar Counsel

Original filed with the Disciplinary Clerk of
the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this 13th day of October, 2026.

Copy of the foregoing emailed
this 13th day of October, 2026, to:

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by:*/s/Melissa Duarte*
KAG/md