

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. GREG SAKALL

CASE NO. C20221368

DATE: August 27, 2025

DONALD EDWARD GAGE
Plaintiff

VS.

NORTHERN PIPELINE CONSTRUCTION,
ZURICH AMERICAN INSURANCE CO, and
INDUSTRIAL COMMISSION OF ARIZONA
Defendants

RULING

IN CHAMBERS:

Pending before the Court is Defendant Northern Pipeline and Zurich American Insurance Company's Motion to Declare Donald Gage a Vexatious Litigant. Plaintiff has not filed a timely opposition.

Consistent with Administrative Order No. 2019-09, Pima County Superior Court, this Division—as the division assigned to this case—makes the determination of whether Plaintiff is a vexatious litigant.

“A pro se litigant is a vexatious litigant if the court finds the pro se litigant engaged in vexatious conduct.” A.R.S. § 12-3201(C). Vexatious conduct is defined as including the following:

- (a) Repeated filing of court actions solely or primarily for the purpose of harassment.
- (b) Unreasonably expanding or delaying court proceedings.
- (c) Court actions brought or defended without substantial justification.
- (d) Engaging in abuse of discovery or conduct in discovery that has resulted in the imposition of sanctions against the pro se litigant.
- (e) A pattern of making unreasonable, repetitive and excessive requests for information.
- (f) Repeated filing of documents or requests for relief that have been the subject of previous rulings by the court in the same litigation.

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R U L I N G

A.R.S. § 12-3201(E)(1). As to § 12-3201(E)(1)(c), “without substantial justification” means “the claim or defense is groundless and is not made in good faith.” A.R.S. §§ 12-3201(E)(2); 12-349(F).

Upon review of the Clerks’ file, the Court finds and orders as follows:

Plaintiff filed this action on April 12, 2022, as a self-represented litigant.

On December 13, 2022, the Court granted ICA’s Motion to Dismiss. On February 17, 2023, the Court granted Northern Pipeline and Zurich American’s Rule 12(c) Motion, and entered a Rule 54(c) Judgment against Plaintiff on March 14, 2023.

Repeatedly throughout this case before the Rule 54(c) judgment was issued, the Court repeatedly admonished Plaintiff to comply with the rules. *See, e.g.*, August 22, 2022 In Chambers Orders; September 16, 2022 Ruling; November 1, 2022 Ruling; January 19, 2023 In Chambers Order; February 28, 2023 In Chambers Order; March 3, 2023 In Chambers Order.

Even after judgment was issued over 29 months ago, Plaintiff has not relented, and continues to file meritless filings. *See, e.g.*, September 18, 2023 In Chambers Ruling; September 26, 2023 In Chambers Ruling; March 20, 2024 In Chambers Order.

Plaintiff has even sought a Writ of Garnishment for \$750 billion against Zurich American on July 11, 2024, which necessitated a response by Northern Pipeline and Zurich American.

In September 2024, he filed an untimely Notice of Cross-Appeal and an untimely Notice of Appeal seeking to appeal the March 2023 judgment. Division Two of the Arizona Court of Appeals promptly dismissed the appeals.

In October 2024, Plaintiff filed multiple motions including a request for a discovery conference. *See, e.g.*, February 7, 2025, In Chambers Order.

In March 2025, Plaintiff again made filings in this case—three years after judgment. The Court denied the motion, and admonished Plaintiff that “if he insists on filing similar frivolous motions, the Court may consider designating Plaintiff a vexatious

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RULING

litigant under A.R.S. § 12-3201.” See March 25, 2025 In Chambers Order.

Nonetheless in April 2025, Plaintiff filed another Application for Writ of Garnishment seeking \$750 billion “x 3” against the Defendants who had previously prevailed in the litigation. On May 28, 2025, another Division of this Court denied the Application.

In June 2025, Plaintiff again filed a motion which this Court denied as frivolous. It again cautioned Plaintiff about the potential consequences of filing frivolous motions. See June 10, 2025 In Chambers Order.

The Court finds that Plaintiff Donald Gage has engaged in vexatious conduct by repeated filings solely or primarily for the purpose of harassment, and continuing to file motions and filings without substantial justification, and repeated filings of documents that have been the subject of previously rulings in this case. A.R.S. § 12-3201(E)(1)(a), (c), (f).

The Court finds Plaintiff Donald Gage is a vexatious litigant as defined by A.R.S. § 12-3201(C).

As such, the Court GRANTS the Motion, and ORDERS that Donald Gage “may not file a new pleading, motion or other document without prior leave of the court.” A.R.S. § 12-3201(B).


HON. GREG SAKALL
(ID: f0785336-0e66-432c-80fa-4b1b467db0bc)

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