

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2020-014920

09/17/2025

HONORABLE CHRISTOPHER WHITTEN

CLERK OF THE COURT
C. Lockhart
Deputy

JOHN C D DOE

ROBERT E PASTOR

v.

BIG BROTHERS BIG SISTERS OF AMERICA, LORI V BERKE
et al.

JOHN M O'NEAL
MICHAEL S DAOUDI
JUDGE WHITTEN

MINUTE ENTRY

The Plaintiff's Motion to Amend his Complaint, filed July 21, 2025, is fully briefed as of August 20, 2025 and pending. Given the clarity of the pleadings, there is no need for oral argument.

Plaintiff seeks to amend the Complaint to substitute Maureen Gaughan, trustee for the bankruptcy estates of John CD Doe, as the real party in interest. The Court finds that this substitution is appropriate under Rule 17(b)(3), Ariz. R. Civ. P.

However, the Plaintiff's proposed Second Amended Complaint does more than that. It includes numerous substantive changes beyond the trustee substitution, including new factual allegations and an entirely new cause of action. Plaintiff did not seek leave of court to make these additional changes, nor did he comply with Rule 15(a)(4), Ariz. R. Civ. P., which requires redlining to show changes from the prior pleading.

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ACCORDINGLY, IT IS ORDERED that Plaintiff's Motion to Amend is GRANTED IN PART and DENIED IN PART.

The motion is GRANTED to the extent it seeks to substitute Maureen Gaughan, trustee for the bankruptcy estates of John CD Doe, as Plaintiff.

The motion is DENIED as to all other proposed amendments, including any new factual allegations or causes of action not directly related to the trustee substitution.

IT IS FURTHER ORDERED that Plaintiff shall file a Revised Second Amended Complaint **within 21 days** of the date this Order is issued, reflecting only the permitted changes described above.