

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Fredrick Torrez v. Midland Credit Management Incorporated

No. CV-25-00206-TUC-RM (D. Ariz. Apr. 8, 2026) · No. No. CV-25-00206-TUC-RM · Decided April 8, 2026

SUMMARY

The United States District Court for the District of Arizona denied Plaintiff Fredrick Torrez’s motion to deem Requests for Admission Nos. 1, 2, and 5 admitted. The court held that Midland Credit Management’s amended responses complied with Federal Rule of Civil Procedure 36. The court also denied Torrez’s Rule 11 motion for sanctions, while declining to award Defendant fees and costs and warning that future frivolous sanctions motions could result in such an award.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Rosemary Márquez
JURISDICTION	United States District Court for the District of Arizona
DECIDED	April 8, 2026
DOCKET	No. CV-25-00206-TUC-RM
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff moved to deem three requests for admission admitted and separately moved for sanctions under Federal Rule of Civil Procedure 11. The district court denied both motions.
STANDARD OF REVIEW	The Court reviewed the sufficiency of the amended responses under Federal Rule of Civil Procedure 36(a)(6) and evaluated the Rule 11 motion under the certification and sanctions requirements of Rule 11.
PRECEDENTIAL VALUE	Unpublished district court order; nonprecedential
PARTIES	Fredrick Torrez v. Midland Credit Management Incorporated

TOPICS

- discovery dispute
- sanctions
- civil procedure
- fair debt collection
- consumer protection

PRACTICE AREAS

- civil procedure
- consumer protection
- fair debt collection
- discovery

QUESTIONS PRESENTED

1. Whether Defendant's amended responses to Requests for Admission Nos. 1, 2, and 5 complied with Federal Rule of Civil Procedure 36 such that the requests should not be deemed admitted.
2. Whether Plaintiff was entitled to Rule 11 sanctions based on Defendant's motion to extend scheduling deadlines.
3. Whether Defendant was entitled to recover its attorneys' fees and costs incurred in responding to Plaintiff's sanctions motion.

HOLDINGS

1. The amended responses complied with Rule 36, and the Court would not deem Requests for Admission Nos. 1, 2, and 5 admitted.
2. Plaintiff was not entitled to Rule 11 sanctions because he failed to show that Defendant's motion contained frivolous legal contentions, unsupported factual contentions, or was presented for an improper purpose.
3. The Court declined at that time to award Defendant the fees and costs it incurred in responding to Plaintiff's sanctions motion.

KEY QUOTATIONS

“Although a party may request the admission of the application of law to fact, id., requests for the admission of pure legal conclusions are impermissible” (at 2)

“However, Rule 11 “does not apply to disclosures and discovery requests, responses, objections, and motions under Rules 26 through 37.”” (at 5)

FACTUAL BACKGROUND

Defendant's amended responses partially admitted Requests for Admission Nos. 1, 2, and 5 but declined to admit or deny certain matters because Defendant lacked reasonable access to information concerning whether the underlying obligation was incurred primarily for personal, family, or household purposes. Defendant also stated that it lacked a handwritten-signed agreement while asserting that it possessed documents substantiating the debt, ownership, and Plaintiff's obligation to pay. Defendant sought a 30-day extension of deadlines based in part on the volume of discovery, defense counsel's surgery and recovery, the holiday season, and the need to complete discovery; the Court found good cause and granted the extension.

PROCEDURAL HISTORY

Plaintiff previously moved to determine the sufficiency of Defendant's responses to requests for admission, and the Court partially granted and partially denied that motion, ordering amended responses to Requests for Admission Nos. 1, 2, and 5. Defendant served amended responses. Defendant later moved for a 30-day extension of scheduling deadlines, which the Court granted for good cause. Plaintiff then moved to deem the requests admitted and sought Rule 11 sanctions based on Defendant's motion for an extension.

DISPOSITION

denied

CASES CITED

- Asea, Inc. v. S. Pac. Transp. Co., 669 F.2d 1242, 1245 (9th Cir. 1981)
- Daniels v. G4S Secure Solutions USA, Inc., No. 8:20-cv-00283-JGB (JDEx), 2021 WL 3742039, at *10 (C.D. Cal. Jan. 4, 2021)

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