Clerk of the Superior Court

\*\*\* Electronically Filed \*\*\*
C. Brown, Deputy
5/2/2024 4:23:58 PM
Filing ID 17758124

1

2

**4** 5

6

8

10 11

12

13 14

15 16

17

18 19

20

21

22 23

25

24

26 27

28

WOODNICK LAW, PLLC 1747 E. Morten Avenue, Suite 205 Phoenix, Arizona 85020

Telephone: (602) 449-7980 Facsimile: (602) 396-5850 office@woodnicklaw.com

Gregg R. Woodnick, #020736 Isabel Ranney, #038564

Attorney for Respondent/Defendant

# IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

### IN AND FOR THE COUNTY OF MARICOPA

In Re the Matter of:

LAURA OWENS,

Petitioner,

And

CLAYTON ECHARD,

Respondent.

Case No.: FC2023-052114

RESPONSE/OBJECTION TO PETITIONER'S EMERGENCY MOTION TO STRIKE AND REQUEST FOR IMMEDIATE SCHEDULING CONFERENCE

(Assigned to the Honorable Julie Mata)

Defendant/Respondent, **CLAYTON ECHARD**, by and through counsel undersigned, hereby files his Response and <u>Objects</u> to Plaintiff/Petitioner, **LAURA OWENS**, Emergency Motion to Strike and Request for Immediate Scheduling Conference.

There is *neither* an emergency *nor* cause to strike any part of the Reply to Petitioner's Response filed on April 30, 2024. Not only does Laura's Motion fail to conform to procedural Rules (*neither* Rule 29(e) *nor* Rule 35(a)(3)), but it also fails to acknowledge that when Laura filed a *Response* that (contrary to explicit court orders) appended her medical records and proclaimed "there is objective medical proof Ms. Owens was, in fact pregnant" and "Ms.

Owens Was Pregnant," (emphasis in original), she opened the door for Respondent to reply to the same. Put simply, Laura's own medical records are *not* new evidence to Laura and only continue to demonstrate that this process has been predicated on *duplicity*.

#### As and for his Response/Objection, Clayton states as follows:

1. Laura's Motion to Strike does not comply with Rule 29(e) nor requests the relief afforded by Rule 35(a)(3), Arizona Rules of Family Law Procedure. A Motion to Strike is governed by Rule 29(e), which permits a party to move to strike from a motion "an insufficient claim or defense or any redundant, immaterial, impertinent, or scandalous matter." Laura's Motion does not reference this Rule, nor does it allege any facts that would justify a "strike" consistent with this Court's authority. Laura's Motion also does not comply with the Rule it does cite. Rule 35(a)(3) provides that, if a party believes they need to respond to matters raised in a Reply, it "may not respond to a reply unless authorized by the court." If Laura is asking this Court to allow her to respond to the Reply to Petitioner's Response to Respondent's Amended Motion for Relief Based on Fraud, she needs to request this relief and Clayton will respond (and object) as his verified Reply was appropriate and there is no cause for a sur-reply.

The disclosed material was neither "untimely" nor "new." The "untimely" material— Laura's own medical records—were properly disclosed to her¹ consistent with this Court's disclosure deadline² (which Laura is aware of per her counsel's personal Tweets, blog posts

<sup>&</sup>lt;sup>1</sup> Specifically, in Respondent's 7<sup>th</sup> Supplemental Disclosure Statement.

<sup>&</sup>lt;sup>2</sup> See Minute Entry dated 2/21/24 ("IT IS FURTHER ORDERED setting a discovery & disclosure deadline (30) days prior to trial") (emphasis in original).

and emails regarding the same) and within 24 to 48 hours of receiving the disclosure. The "new" material—Laura's medical records from 2016, her emails and texts regarding the same, yet another sonogram she shared with the media (well after the date she now seems to claim to have miscarried), a letter from an actual person whose ultrasound she allegedly pirated, and her own communications with her prior victims and the media—is not new to Laura.

The information Laura claims is "new" are <u>her</u> medical records and a third sonogram <u>she</u> dispatched via email to the media. [Parenthetically, the first two (2) sonograms were already addressed in court proceedings as well as in the underlying *Motion for Relief* and are therefore not "new" to anyone, nor is the general topic of improperly tampered sonograms].

Moreover, Laura testified about being treated by Dr. Chan and that he was "a specialist, one for [...] cancer, because they thought I might have precancerous for ovarian---." Trans. at 56-57 (Exhibit 1). That Laura, upon information and belief, failed to disclose her relevant medical history to her expert is not Clayton's doing. It would be paradoxical if Laura being provided with her own medical records (which she now seems to deny, as is consistent with her believed modus operandi of denying any conflicting data) constituted "new" information.

2. Clayton's Reply appropriately responded to the allegations in Laura's Response. To the extent that this Court believes that the Motion to Strike (despite being procedurally improper) warrants further attention, Clayton's Reply complied with the requirement that a "reply may address only those matter raised in the response." Rule 35(a)(3).

In Laura's Response, she stated, "there is objective medical proof Ms. Owens was, in fact pregnant," "Ms. Owens Was Pregnant," attached both expert reports and an affidavit by

Laura,<sup>3</sup> and acknowledged that Clayton's *Motion* alleges Clayton believes Laura was "never pregnant," and that he asserts she "lied about things such as the authenticity of a sonogram image and other aspects of her pregnancy." Clayton's Reply concerns the same scope as Laura's Response, namely Laura's repeated assertions that she was pregnant. It is not "sandbagging" to provide the Court information directly responsive to, and conflicting with, the crux of Laura's Response. Rule 35(a)(3) is intended to prevent requesting a different form of relief or raising a claim that would deny the other party an opportunity to respond, not to prevent a party from elaborating on and replying to allegations in the response.

Of course, it is understandable <u>if</u> Laura does not want conflicting information surfacing in litigation that, at its core, is about allegations that she fabricated medical records and faked claims that she was pregnant by Clayton. Laura attached her own medical records, expert reports, and made statements regarding the "truthfulness" of her alleged pregnancy in her Response. Clayton responded in kind and with properly disclosed (and redacted) data, as he was permitted to do under the Rules.<sup>4</sup>

3. It appears that Ms. Owens is unable to keep track of her story as the fiction compounds. This is the carnage of what, upon information and belief, is serial pregnancy fraud in efforts to compel relationships. Notably, as more controverting data comes out, it is anticipated, based on Laura's counsels' emails and blogs, that Laura will claim that voice

<sup>&</sup>lt;sup>3</sup> Which included the sonogram that has been <u>confirmed</u> not to have originated in SMIL or Planned Parenthood.

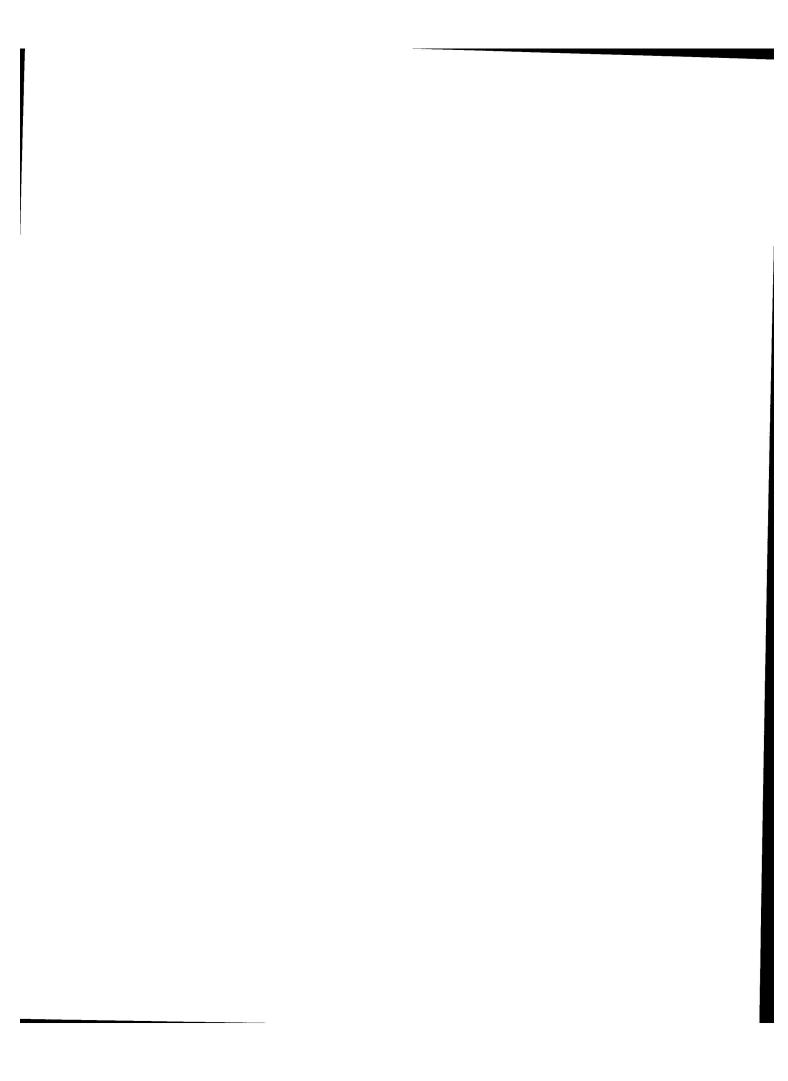
<sup>&</sup>lt;sup>4</sup> Note, Clayton redacted medical records consistent with this court's orders, notwithstanding the fact that Laura continues to unilaterally publish filings and musings regarding the case and court via Twitter, including "affidavits" that have not been admitted to this Court. At trial, the Court will be provided with the unredacted ultrasounds, in addition to the one already confirmed to be tampered with. The ultrasound video was already admitted as an exhibit during Laura's deposition and the alleged "new" sonogram that shows Laura' being twenty-one (21) weeks along was sent to the media. The medical records from Drs. Chan and Yee are on letterhead and contemporaneous with communication from Laura in 2016.

recordings are the product of Artificial Intelligence (AI) and her emails and texts were hacked. She can address these alleged (and highly disputed) concerns at trial. Despite what she may claim to explain away these "new" records, they came *from Laura* – her email, her texts, her claimed medical records. Whether she *now* claims they are real or not does not change the fact that she sent them. It does beg the question of the extent of fraud consistent with someone who already admitted to tampering with medical records. See A.R.S. § 13-2809.

based on a fraudulent sonogram. Once again, in Laura's *Motion to Strike*, she fails to acknowledge that the very sonogram that was the basis for Judge Doody granting the Order of Protection has been proven <u>not</u> to have originated from Planned Parenthood <u>or SMIL</u>. Laura has since admitted she tampered with it. That there may be *more* records that are believed to be fraudulently created by Laura is problematic for her, but she published these "records" and sent them to members of the media. Those actions have consequences.

The fraud in the procurement of the Order of Protection matters requires it to be dismissed on the pleadings. The remaining issues in the establishment matter will be adjudicated on June 10<sup>th</sup>, notwithstanding her anticipated efforts to continue that hearing.

5. There is no need for any scheduling conference. Trial is set in more than a month – June 10, 2024. The deadline for discovery and disclosure is May 10, 2024. If Laura has what, upon information and belief, will be a new excuse for *why* her medical records from 2016 and the sonogram she sent to the media in 2023 are somehow "fake" or the product of an AI/technology, she is welcome to allege that at trial. This case is not complicated as the



Court articulated at the status conference in February, and both parties have had more than enough time to prepare to present their cases in June.

6. Clayton is entitled to his reasonable attorney's fees and costs incurred in this entire action. This improperly pleaded *Motion to Strike* is entirely. If Laura's counsel's Twitter is to be believed, more unpleasant filings are forthcoming. Trial is scheduled for June 10<sup>th</sup> and disclosure is still timely. Clayton is entitled to his reasonable attorney's fees and costs expended defending himself against Laura pursuant to statutes. Note: The court *already* tolled fees on the Motion to Compel pending trial. Perhaps, granting leave to file a China Doll Affidavit for fees incurred to date would serve to deter more toxic tactics geared only toward expanding the litigation and forestalling the resolution of this case.

### WHEREFORE, Clayton respectfully requests the Court:

- A. Deny Laura's Motion to Strike;
- B. Grant leave to Clayton to submit a Child Doll Affidavit;
- C. Order such further relief as the Court deems just, including sanctions available to this Court under Rule 26, *Arizona Rules of Family Law Procedure*.

RESPECTFULLY SUBMITTED this 2nd day of May, 2024.

WOODNICK LAW, PLLC

Gregg R. Woodnick

Isabel Ranney

Attorneys for Respondent/Defendant

**ORIGINAL** of the foregoing e-filed this 2nd day of May, 2024 with:

Clerk of the Court

Maricopa County Superior Court

COPY of the foregoing document delivered this same day to: The Honorable Julie Mata Maricopa County Superior Court COPY of the foregoing document emailed this same day to: **David Gringas** Gringas Law Office, PLLC 4802 E. Ray Road, #23-271 Phoenix, AZ 85004 David@GringasLaw.com Attorney for Petitioner/Plaintiff By: /s/ MB 

#### VERIFICATION

I, CLAYTON ECHARD, declare under penalty of perjury that I am the Respondent in the above-captioned matter; that I have read the foregoing Response/Objection to Petitioner's Emergency Motion to Strike and Request for Immediate Scheduling Conference and I know of the contents thereof; that the foregoing is true and correct according to the best of my own knowledge, information and belief; and as to those things stated upon information and belief, I believe them to be true.

Clayton Echard	May 2, 2024
TLAYTON ECHARD	Date

Email: claytonechard@gmail.com 

## Verification - Response to Mx to Strike

Final Audit Report

2024-05-02

Created:

2024-05-02

By:

Isabel Ranney (isabel@woodnicklaw.com)

Status:

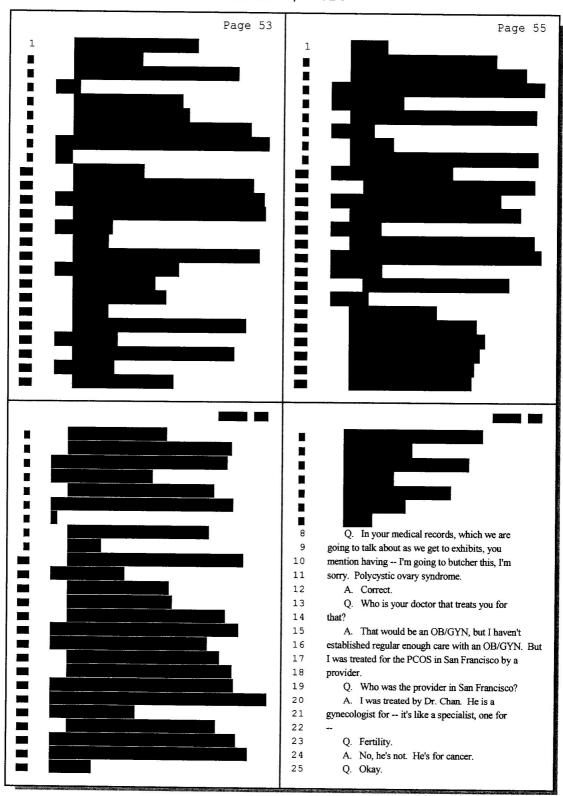
Signed

Transaction ID:

CBJCHBCAABAAUcNSOH6XOInO\_X1PmzaQv-y1IyCccdxz

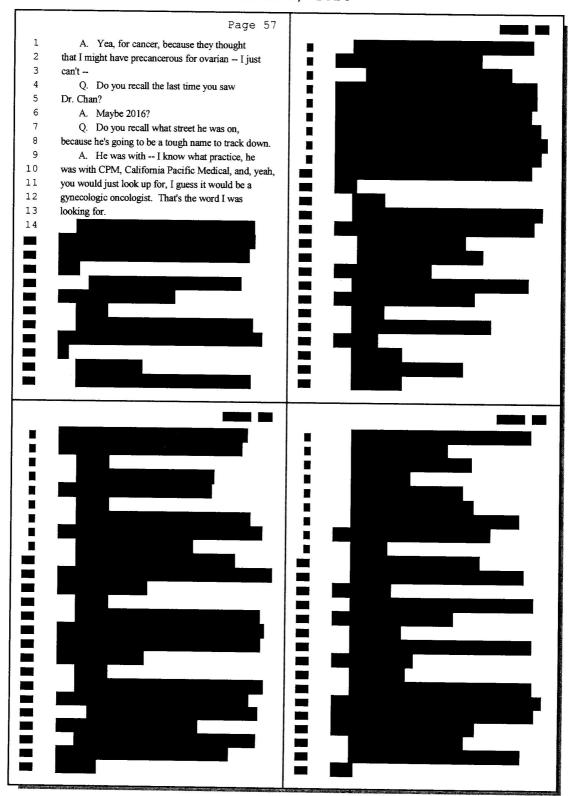
### "Verification - Response to Mx to Strike" History

- Document created by Isabel Ranney (isabel@woodnicklaw.com) 2024-05-02 9:31:47 PM GMT
- Document emailed to Clayton Echard (claytonechard@gmail.com) for signature 2024-05-02 9:32:21 PM GMT
- Email viewed by Clayton Echard (claytonechard@gmail.com) 2024-05-02 11:07:35 PM GMT
- Ø₀ Document e-signed by Clayton Echard (claytonechard@gmail.com)
  Signature Date: 2024-05-02 11:07:52 PM GMT Time Source: server
- Agreement completed. 2024-05-02 - 11:07:52 PM GMT



14 (Pages 53 to 56)

Maricopa Reporting - (480)-597-4744



15 (Pages 57 to 60)