

Laura Owens

██████████
Scottsdale, Arizona ██████████

Pro Se Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA IN AND FOR THE
COUNTY OF MARICOPA

In Re the Matter of:

LAURA OWENS,

Plaintiff,

vs.

GREGORY GILLESPIE,

Defendant,
_____ /

Case No. CV2021-052893

**PLAINTIFF'S REPLY TO THE
DEFENDANT'S ANSWER AND
COUNTERCLAIMS**

(Assigned to the Hon. Alison Bachus)

Laura Owens (hereinafter the “Plaintiff”), responding to the Answer and Counterclaim of Gregory Gillespie (hereinafter the “Defendant”), respectfully alleges as follows:

PLAINTIFFS REPLY TO THE DEFENDANT'S ANSWER

No response is required to the allegations contained in Paragraphs One (1) through Eight (8) of Defendant’s Answer and Counterclaim as they consist of Defendant’s response contained in Plaintiff’s Complaint. To the extent a response is required, and to the extent that the aforementioned paragraphs contain any allegations of wrongdoing by Plaintiff; Plaintiff denies the same in full and demands strict and absolute proof thereof.

PLAINTIFF'S ANSWER TO DEFENDANT'S COUNTERCLAIMS

I. FRAUD

1. The allegation in paragraph one should be dismissed as Defendant *admitted to lacking sufficient knowledge or information* with his response, which has the effect of a denial. No response is necessary, but to the extent a response is required, Plaintiff denies the same, and alleges that it is disingenuous for the Defendant to claim that he had “information and belief” that the pregnancy was ‘fictitious’ or ‘fraudulent’. Plaintiff has given indisputable evidence of her pregnancy to the Defendant, providing him with office visit notes (**exhibit A**) from the appointment he demanded she book to have a medical professional confirm her pregnancy, which occurred at One Medical Group/Kierland with Dr. John Jones on July 16, 2021, at 9:00 AM. In addition, the Defendant asked that the Plaintiff obtain a letter from her doctor, Dr. John Jones, on One Medical letterhead, to confirm the pregnancy, which Dr. Jones said was an unusual request, and questioned why the Defendant would need to see additional proof beyond what he had provided in the visit notes. Nevertheless, Plaintiff obtained this and sent it to the Defendant immediately (**exhibit B**). At 10:51 AM, the Defendant even asked for (and obtained) the login information for her One Medical Patient Portal to view the results for himself, as he still did not believe her (**exhibit C**). Even after this, Defendant demanded to have a video call with One Medical Group to verify the pregnancy test results with a live person, which occurred at 12:10PM. **The video visit notes prove that the Defendant was given firsthand confirmation of the Plaintiff’s pregnancy by Lisa Nichols, NP, of One Medical Group (exhibit D)**. After giving the Defendant the test results at the request of

the Plaintiff, Ms. Nichols asked the Defendant to leave the chat so that she could ask the Plaintiff if she felt physically and emotionally safe due to the Defendant's behavior on the call. The Plaintiff also provided the explanation of benefits from the July 16, 2021 office visit (**exhibit E**), from her insurance company, Bright Health Care, which states, in part, "PLEASE SUBMIT PRENATAL CARE W/ DELIVERY FEE AT TIME OF DELIVERY", a notation only given with a positive pregnancy result. Given the exhaustive amount of proof that the Defendant was given, his allegations that the "Plaintiff knowingly and falsely represented to the Defendant that she was pregnant" are false statements written with the intention of misleading the court.

2. Plaintiff admits this allegation. Plaintiff became pregnant on or about June 30th, 2021 or July 1st, 2021, according to her medical examination. This timing is consistent with when Plaintiff and Defendant had sexual intercourse, resulting in the pregnancy. Plaintiff affirms that before meeting the Defendant, she had not been sexually active since February of 2020, and has not been sexually active with anyone else to date since meeting the Defendant. Therefore, there was nothing that would put into question the paternity of the fetus.

3. Plaintiff denies these allegations. Plaintiff had already given the Defendant exhaustive proof of her pregnancy and had no reason to send fabricated ultrasound pictures to Defendant.

4. Plaintiff denies knowledge sufficient to form a belief as to the allegations. However, it should be noted that the Defendant has altered the year of these supposed 'identical sonogram images' between 2014 and 2015 in his filings thus far.

5. The allegation in paragraph five should be dismissed as Defendant admitted to lacking sufficient knowledge or information with his response which has the effect of a denial. No response is necessary, but to the extent a response is required Plaintiff denies the same.

6. Plaintiff denies allegations.

7. Plaintiff denies allegations.

8. Plaintiff denies allegations.

9. Plaintiff denies allegations.

10. Plaintiff denies allegations.

11. Plaintiff neither admits nor denies and has insufficient information to form a belief.

The allegation in paragraph 11 should be dismissed as Defendant admitted to also lacking sufficient knowledge or information with his response which has the effect of a denial.

12. Defendant's claim should be barred by his and his attorney's own actions. The Defendant had been given exhaustive proof of the Plaintiff's pregnancy and therefore, had no reason for "believing that there was fraud in the Plaintiff's underlying Complaint", and to make that the justification for the Defendant's subsequent actions. Plaintiff has been humiliated by Defendant's counsel for discussing such private matters with Joe Cotchett, a California attorney who the Defendant knew was a family friend of the Plaintiff's and representing her father at the time in a civil matter. Plaintiff explicitly told Defendant's attorney she was pro se when asked. Despite that, the Defendant reached out to Mr. Cotchett's office to ask if he was representing the Plaintiff. The Defendant knew that Mr. Cotchett did not practice law in Arizona, and therefore the only explanation for reaching

out to him was to embarrass the Plaintiff. Mr. Cotchett's firm said that they were not representing the Plaintiff, yet the Defendant's counsel reached out **four more times** to his office in an effort to humiliate, ruin the reputation of, and frame the Plaintiff for fabricated documents that they claim had been sent from the Plaintiff to the Defendant between August 19th and 23rd (even though the Plaintiff filed the case on August 11th). The Defendant's counsel repeatedly begged Mr. Cotchett to influence the Plaintiff to dismiss the case against the Defendant with prejudice, with their last unanswered plea sent via email on October 7th. Mr. Cotchett verbalized his feelings towards the Defendant's conduct in an email sent to the Plaintiff on September 30th, which is shared with his permission (**exhibit F**). It reads:

RE: Gregg Woodnick

SENT ON BEHALF OF JOSEPH W. COTCHETT

Dear Laura,

Thank you for the note – it is an extraordinary story with GILLESPIE. I am glad you are pursuing charges as they conduct is outrageous – if we can help in any way, do not hesitate to call.

Best regards,

Joe

In addition, the Defendant's counsel **disclosed extremely private medical information regarding an abortion** to Mr. Cotchett by forwarding him fraudulent emails with the subject 'RE: LAURA OWENS PREGNANCY' *after being told that he was not associated with this case.* The Defendant knew of the relationship between Mr. Cotchett

and the Plaintiff's family, and therefore the only purpose of him sending these was to attempt to destroy her credibility and reputation. This violates her rights under HIPPA.

13. Plaintiff admits to not taking a paternity test as it is not relevant and denies fabricating documents.

14. Plaintiff admits in part and denies in part. Plaintiff admits to sending the email to the Defendant's counsel, at the onset of the case, however, the Defendant eliminated a key sentence/paraphrased in their communication.

The Defendant's counsel wrote in the Counterclaim:

Plaintiff stated she was "willing to take a paternity test to prove that the child's is Greg's [sic]" but that it would be possible that she would not be pregnant, as "I'm unsure what the purpose is because if the pregnancy is not viable, that proves that his coercion did result in the end of the pregnancy."

The Plaintiff's email to the Defendant's counsel on 8/27/21:

"...willing to take a paternity test to prove that the child is Greg's, the reason behind this case is that he coerced me to take abortion pills rather than the status of my pregnancy. I'm unsure what the purpose is because if the pregnancy is not viable, that proves that his coercion did result in the end of the pregnancy."

Plaintiff denies any and all allegations of fabrication, and has undeniably proven the pregnancy. The Defendant's blatant coercive tactics, intimidation, and threats if she did not take the pills are shown in the exhibits submitted in the original complaint. In

addition, the Plaintiff needed to obtain an Order of Protection against the Defendant, on November 11th, 2021, and is aware of the fact that another woman also obtained an Order of Protection against the Defendant since the Plaintiff's Complaint was filed. The Plaintiff does not wish for the Defendant to know anything about her health whatsoever beyond what has been provided for her own safety, given the serious threats against her and the child she created with the Defendant, and history of HIPAA violations in disclosing her medical information.

15. The allegation in paragraph 15 should be dismissed as Defendant admitted to lacking sufficient knowledge or information with his response which has the effect of a denial. No response is necessary, but to the extent a response is required Plaintiff denies the same with the exception of admitting to sending the email.

16. Plaintiff denies allegations and Defendant has failed to raise any valid claims to which he is entitled to any recovery or relief. Despite being given undeniable proof of the Plaintiff's pregnancy being legitimate, the Defendant, through counsel, has referred to the Plaintiff's pregnancy as, 'fictitious', 'fraudulent', and 'false' based on 'blatant fabrications', 'possibly a ruse to get more followers', a 'fictional narrative', 'nonsense', 'nonsensical', and the Complaint as 'salacious' 'bizarre', and 'preposterous'. Therefore, bringing a fraud counterclaim against the Plaintiff (under penalty of perjury) on the basis of the pregnancy being fraudulent is malicious, made in bad faith, and serves no purpose other than to further harass the Plaintiff and delay the Court.

II. Intentional Infliction of Emotional Distress

1. The above Paragraphs one (1) through sixteen (16) are incorporated herein as if fully repeated verbatim.
2. Plaintiff denies the allegations contained in the Defendant's Answer and Counterclaim in full and demands strict and absolute proof thereof.
3. Plaintiff denies the allegations contained in the Defendant's Answer and Counterclaim in full and demands strict and absolute proof thereof. Despite being given undeniable proof of the Plaintiff's pregnancy being legitimate, the Defendant, through counsel, has referred to the Plaintiff's pregnancy as, 'fictitious', 'fraudulent', and 'false' based on 'blatant fabrications', 'possibly a ruse to get more followers', a 'fictional narrative', 'nonsense', 'nonsensical', and the Complaint as 'salacious' 'bizarre', and 'preposterous'. Therefore, bringing an emotional distress counterclaim against the Plaintiff (under penalty of perjury) on the basis of the pregnancy being fraudulent is malicious, made in bad faith, and serves no purpose other than to further harass the Plaintiff and delay the Court.

WHEREFORE, having fully responded to the allegations contained in Defendant's Answer and Counterclaim, Plaintiff prays for the following:

- a. That Defendant's Answer and Counterclaim be dismissed with costs;
- b. That Plaintiff be granted the relief requested in the Complaint;
- c. That Defendant be sanctioned pursuant to Title 44 § 2083.
- d. For such other and further relief as the Court may determine to be just and proper.

RESPECTFULLY SUBMITTED this 22nd day of January, 2022.

/s/ Laura Owens

1/22/22

Laura Owens

Date

Pro Se Litigant

Procedure Performed at One Medical

Date: Jul 16, 2021

Patient

Legal Name: Laura Owens

Goes By: Laura

Birth Date: [REDACTED]

Phone: [REDACTED]

Is patient pregnant:

See attached for complete demographic and insurance information.

Procedure

Urine pregnancy test, 81025

Indication

Amenorrhea (ICD-10CM: N91.2)

Procedure Summary

Result: 2 lines - positive

Thank you,



John Jones

(NPI: [REDACTED])

[REDACTED]

EXHIBIT A (POSITIVE PREGNANCY TEST RESULTS FROM PLAINTIFF'S APPOINTMENT AT ONE MEDICAL/KIERLAND ON JULY 16, 2021)



15210 N Scottsdale Road · Suite 275 · Scottsdale, AZ 85254
ph: 888-663-6331 · fax: 602-218-4076

July 16, 2021

Laura Owens, DOB: [REDACTED]

To Whom It May Concern:

Patient was evaluated in the office today and was determined to be in early stages of pregnancy. Patient was on seizure medication that decreased the effectiveness of her oral contraceptives. Please contact our office for any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Jones', is written over a light gray rectangular background.

John Jones, DO
NPI: [REDACTED]

**EXHIBIT B (NOTE FROM DR. JOHN JONES CONFIRMING THE PREGNANCY
OBTAINED BY THE PLAINTIFF AT THE REQUEST OF THE DEFENDANT)**

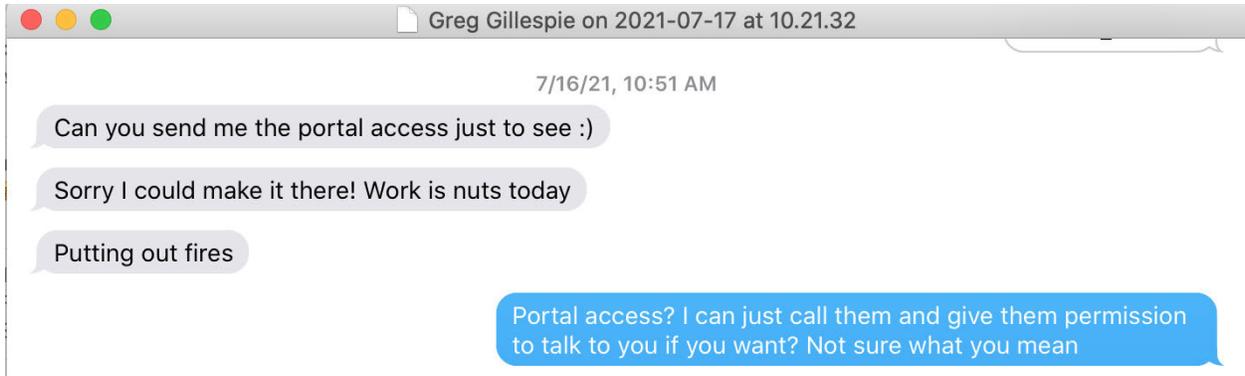


EXHIBIT C (DEFENDANT'S REQUEST FOR THE PLAINTIFF'S ONE MEDICAL GROUP PATIENT PORTAL LOGIN TO CONFIRM THE PREGNANCY, WHICH WAS GIVEN IN A PHONE CALL IMMEDIATELY AFTER)

1/13/22, 2:02 PM

1Life | Laura Owens - [REDACTED]

Patient: Laura Owens

DOB: [REDACTED]

Sex: Female

PCP: John Jones, DO

Patient ID: [REDACTED]

Address: [REDACTED]
San Francisco, CA [REDACTED]

Chief Complaint: VV: UPT results request

Note Type: Video Encounter

Date of Service: 12:09 PM 07/16/2021

Date Signed: 12:26 PM 07/16/2021

Created By: Julie Ahlrich, NP

Signed By: Julie Ahlrich, NP

Subjective

DATE 7/16/21, TIME 12:10 PM PST. Patient verifies name and DOB. Consent obtained for evaluation via video based platform today. Julie Ahlrich FNP-BC

31 y/o female seen earlier today for early pregnancy calls requesting results of her urine pregnancy test. The father would like to see it. Of note, Greg (the father) was on another video chat with pt and could hear most of our conversation. IOV note not yet available nor is the in office UPT. Letter written by PCP messaged to pt as PDF per her request. Other message initiated by pt assigned to PCP with this request for the UPT results.

Writer asked pt for private conversation, call with Greg ended. Pt confirms that she is physically and emotionally safe. Feels safe in home.

Exam

General: NAD, A&O

HEENT: EOMI, normal conjunctiva & lids, hearing grossly normal

Pulm: No appreciable SOB, stridor or cough. Pt speaking in full sentences without difficulty.

Psych: normal judgment, insight, mood and affect

After Visit Guidance To Patient

EXHIBIT D (NOTES FROM PLAINTIFF'S VIDEO VISIT WITH ONE MEDICAL, WHICH SHE HAD AT DEFENDANT'S DEMAND ON JULY 16, 2021, CONFIRMING THAT DEFENDANT HAD FIRSTHAND CONFIRMATION OF POSITIVE PREGNANCY TEST FROM LISA NICHOLS, NP)

Bright HealthCare
777 NW BLUE PKWY STE 3350
LEES SUMMIT MO 64086-5709



Forwarding Service Requested

*****ALL FOR AADC 852 54
PB-DSM-20-ENV 21308
LAURA OWENS
SCOTTSDALE AZ

Questions? We are here to help!

If you have questions about this document or questions about your benefits: Visit our web site brighthouse.com and review your certificate of coverage.
Call us at 1-800-922-7186
Email us at customerservice@brighthouse.com

Date: 7/27/2021

Member ID: [REDACTED]
Subscriber: LAURA OWENS

Explanation of Benefits

RETAIN FOR TAX PURPOSES
THIS IS NOT A BILL

Claims processed for the period: 07/16/2021 thru 07/16/2021

Dear LAURA OWENS,

The information below is a summary of the claims processed from 07/16/2021 to 07/16/2021. You can use it to make sure you're being charged the correct amount by each of the providers listed.

Total Amount Billed by Provider(s)

\$155.00

Total Amount Paid By Bright

\$0.00

Total Amount You Owe

\$9.04

Claim Number: [REDACTED]
Patient: LAURA OWENS
Relationship: Subscriber
Network: BRIGHT HEALTH NETWORK

| Line No. | Provider | Date(s) of Service | Benefit Description | Proc Code | Amount Billed | Excluded Amount | Bright Discount | Co-Pay Amount | Deductible Amount | Amount Allowed | Paid At | What we will pay | |
|----------------------|-----------------|--------------------|---------------------|-----------|---------------|-----------------|-----------------|---------------|-------------------|----------------|---------|-------------------------|-------------|
| 01 | OMG ARIZONA LLC | 07/16-07/16/21 | OFFICE VISIT | 99213 | 140.00 | 140.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0% | 0.00 | |
| 02 | OMG ARIZONA LLC | 07/16-07/16/21 | LABORATORY | 81025 | 15.00 | 0.00 | 5.96 | 9.04 | 0.00 | 0.00 | 0% | 0.00 | |
| Column Totals | | | | | 155.00 | 140.00 | 5.96 | 9.04 | 0.00 | 0.00 | | 0.00 | |
| What you owe: | | | 9.04 | | | | | | | | | What we will pay | 0.00 |

Claim Information

- 1 (Line 1-\$140.00)PLEASE SUBMIT PRENATAL CARE W/DELIVERY FEE AT THE TIME OF DELIVERY.
- 2 ANY CHARGES THAT MAY BE LISTED IN THE "DISCOUNT" COLUMN REPRESENT AMOUNTS OVER THE EPO'S CONTRACTED FEE ALLOWANCE FOR THESE SERVICES. THE PROVIDER IS A EPO PARTICIPANT AND THE CLAIMANT SHOULD NOT BE BILLED FOR THIS AMOUNT.

EXHIBIT E (EXPLANATION OF BENEFITS FROM PLAINTIFF'S INSURANCE COMPANY FROM ONE MEDICAL/KIERLAND VISIT JULY 16, 2021 WITH CLAIM [REDACTED] STATING "PLEASE SUBMIT PRENATAL CARE W/ DELIVERY FEE AT TIME OF DELIVERY", CONFIRMING POSITIVE PREGNANCY TEST)

RE: Gregg Woodnick

External

Inbox x



Patrice Omalley

to me, Ronn

Sep 30, 2021, 2:58 PM



SENT ON BEHALF OF JOSEPH W. COTCHETT

Dear Laura,

Thank you for the note – it is an extraordinary story with GILLESPIE. I am glad you are pursuing charges as they conduct is outrageous – if we can help in any way, do not hesitate to call.

Best regards,
Joe

Joseph W. Cotchett

COTCHETT PITRE & McCARTHY LLP

A LITIGATION LAW FIRM – SAN FRANCISCO, LOS ANGELES, NEW YORK

840 Malcolm Road, Suite 200 | Burlingame, CA 94010

Tel: [REDACTED] | Fax: [REDACTED]

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EXHIBIT F (EMAIL FROM CALIFORNIA ATTORNEY JOE COTCHETT REGARDING THE DEFENDANT AND HIS COUNSEL'S CONDUCT)



Will you take the pills tonight? I don't want to have a baby this way

That would mean you can take the others tomorrow. And Friday. And by the weekend, I will be hopefully 100%, this will be past us and we can plan to go to Sedona maybe Sunday? I have PTO also, if you can get off work, we could go Sunday Monday?

I need to relax after all this. I know you do also.

And I can't with everything going on. This should have been completed this time last week.

Neither of us had handled it well. I'm sorry I got upset, I'm sorry I blacked you, I'm sorry I am sick and can't be myself at the moment.

I promised you We would continue to see one another (assuming you want to?!), grow with each other, use this as a reason to be stronger and build a foundation. We moved way too fast, I said this then and I say it now. We need to get to know one another and not on this stressing

Stressor.

Neither one of us had been ourself. And there's no chance we will be until this is beyond us. I want to get yo know you, not this version that no normal couple would ever have to face. We haven't handled it well until now and we won't until this is behind us. We are human. We have feelings and this stressed us to the Max. I want to do everything I can to move past, heal get to know one another. Under "normal" circumstances. We wanted to take care of this weeks ago and not another day moving forward.

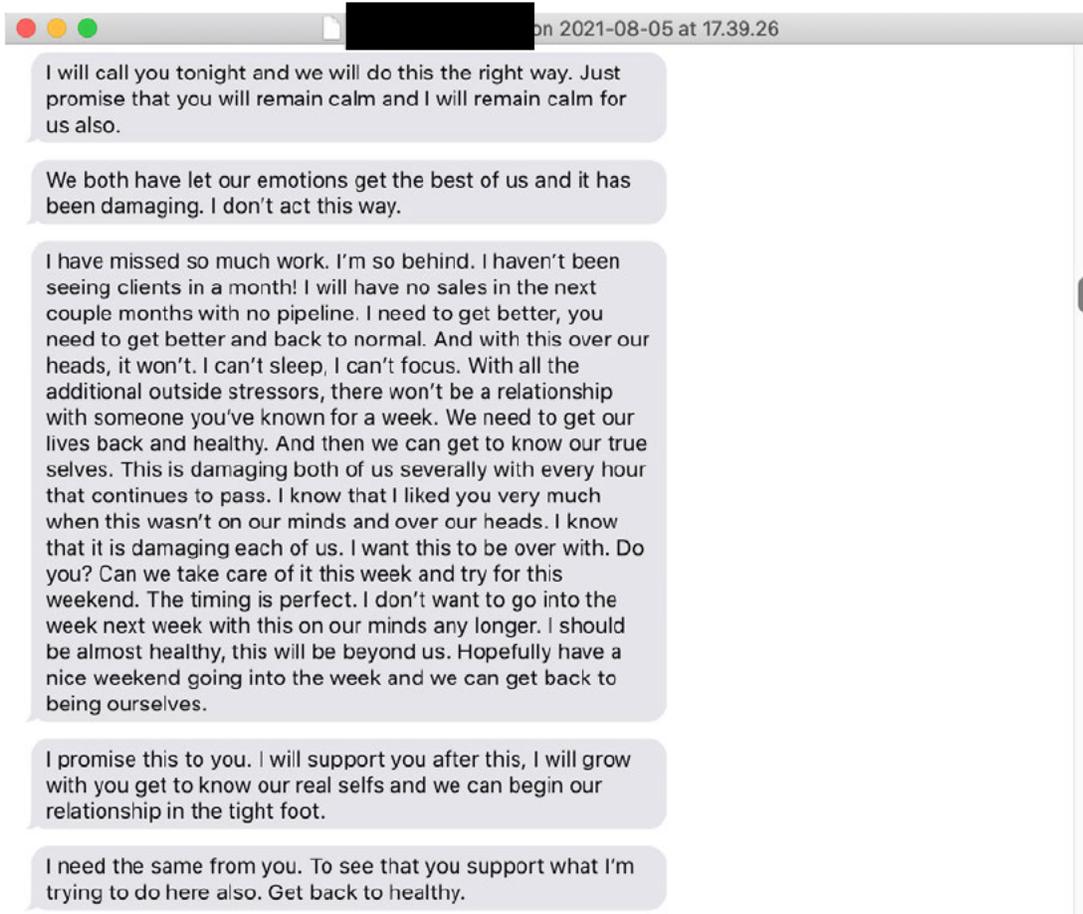


EXHIBIT G (TEXT MESSAGES FROM THE DEFENDANT TO THE PLAINTIFF ON AUGUST 5TH, 2021)