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11 **MARICOPA COUNTY SUPERIOR COURT**  
12 **STATE OF ARIZONA**

13 **In Re Matter of:**

Case No: FC2023-052114

14 **LAURA OWENS,**

**NOTICE OF NON-OBJECTION**

15 **Petitioner,**

**(Assigned to Hon. Julie Mata)**

16 **And**

17 **CLAYTON ECHARD,**

18 **Respondent.**

19 On April 3, 2024, Respondent Clayton Echard (“Mr. Echard” or “Respondent”)  
20 filed a lengthy (16-page) motion seeking to withdraw an earlier Rule 26 sanctions motion  
21 he filed in this case on January 3, 2024. To help expedite matters, Petitioner Laura Owens  
22 (“Ms. Owens”) offers two brief remarks.

23 First, technically the Motion to Withdraw could be denied because it does not  
24 comply with Rule 9(c). The motion does not contain a Rule 9(c) certificate, which is not  
25 surprising because Respondent’s counsel did not meet and confer with Petitioner’s  
26 counsel before the motion was filed. That issue notwithstanding, in the interests of  
27 efficiency, Ms. Owens does not oppose Mr. Echard’s motion to withdraw the prior  
28 sanctions motion, and she agrees the Court may consider that motion essentially moot.

1 Second, the Motion to Withdraw (which could have been a simple 1-page, 1-line  
2 stipulation), isn't really what it appears to be. The motion isn't really about withdrawing  
3 anything. If it was, Respondent's counsel would have met and conferred, learned that  
4 Petitioner would stipulate to the relief requested, and no motion was necessary.

5 Respondent's "motion" is really not a motion at all. It is a rhetorical manifesto  
6 which serves two, maybe three, main functions. For one, it hurls pejoratives at both  
7 Petitioner and undersigned counsel. OK, that's fine. We assume this was done as a  
8 response to the longer motion Petitioner filed on Monday, which the Court denied on  
9 Tuesday. OK, fair.

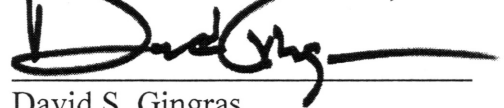
10 The pseudo-motion also seems to preemptively argue certain legal points  
11 regarding the availability and propriety of sanctions and fees. Why do this in a motion  
12 that asks to *withdraw* a request for sanctions? The answer is obvious—Mr. Echard wants  
13 to plant seeds in the Court's mind, hoping to harvest them later.

14 As anyone who knows the undersigned will attest—he is sometimes, okay often,  
15 long-winded and *usually* is happy to engage in lively and wordy debates over matters of  
16 law. But now is not the time or place for that. This Court is busy and has other matters to  
17 attend to.

18 As such, while the undersigned can and surely will provide the Court with a  
19 helpful and thorough explanation of the correct legal standards for sanctions, fees, and  
20 other related issues, which will basically destroy the remarks in Mr. Echard's pseudo-  
21 motion, this will have to wait for the proper time and place. For now, we should all focus  
22 on more pressing concerns.

23 DATED April 4, 2024.

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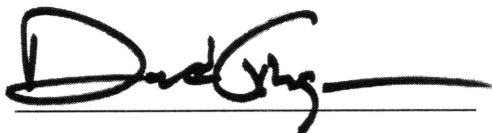


David S. Gingras  
Attorney for Petitioner  
Laura Owens

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1 **Original** e-filed  
2 and **COPIES** e-delivered April 4, 2024 to:

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